
SECOND SUBSTITUTE HOUSE BILL 2798

State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Sommers, Thibaudeau, Cooke, Peery, Silver, Dorn, R. Meyers, Talcott, Valle, Carlson, Dunshee, Linville, Rust, Ballasiotes, Sehlin, Jacobsen, Foreman, Wolfe, Wineberry, Mastin, G. Fisher, Grant, Campbell, Brough, L. Thomas, B. Thomas, Lisk, McMorris, Chandler, Wood, Schoesler, Sheldon, Rayburn, Kremen, Brumsickle, Holm, Roland, Pruitt, Jones, Flemming, Horn, Kessler, Long, Shin, Moak, Finkbeiner, Quall, Conway, Springer, Tate, Mielke and Johanson)

Read first time 02/08/94.

1 AN ACT Relating to public assistance reform; amending RCW 74.25.010
2 and 74.25.020; adding new sections to chapter 74.12 RCW; adding new
3 sections to chapter 74.25 RCW; adding a new section to chapter 74.20A
4 RCW; creating new sections; repealing RCW 74.12.360; and providing
5 effective dates.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that lengthy stays on
8 welfare, the inadequate emphasis on employment by the social welfare
9 system, and teen pregnancy are obstacles to achieving economic
10 independence. Therefore, the legislature intends that:

11 (1) Income and employment assistance programs emphasize the
12 temporary nature of welfare and set goals of responsibility, work, and
13 independence;

14 (2) Employment assistance resources focus on recipients who are
15 most at risk of a long-term stay on welfare;

16 (3) State institutions take an active role in preventing pregnancy
17 in young teens; and

18 (4) Family planning assistance be readily available to welfare
19 recipients.

1 **PART I. EMPHASIZING WORK AND FAMILY PLANNING IN PUBLIC ASSISTANCE**

2 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.12 RCW
3 to read as follows:

4 The department shall train financial services and social work staff
5 who provide direct service to recipients of aid to families with
6 dependent children to:

7 (1) Effectively communicate the transitional nature of aid to
8 families with dependent children and the expectation that recipients
9 will enter employment;

10 (2) Actively refer clients to the job opportunities and basic
11 skills program;

12 (3) Provide social services needed to overcome obstacles to
13 employability; and

14 (4) Provide family planning information and assistance, including
15 alternatives to abortion, which shall be conducted in consultation with
16 the department of health.

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

19 At time of application or reassessment under this chapter the
20 department shall offer or contract for family planning information and
21 assistance, including alternatives to abortion, to prospective and
22 current recipients of aid to families with dependent children.

23 **PART II. TEEN PREGNANCY PREVENTION**

24 NEW SECTION. **Sec. 4.** For the 1994-95 school year, the office of
25 the superintendent of public instruction shall administer a program
26 that provides grants to school districts for media campaigns promoting
27 sexual abstinence and addressing the importance of delaying sexual
28 activity, pregnancy, and childbearing until individuals are ready to
29 nurture and support their children. The messages shall be distributed
30 in the school and community where produced. Grants to the school
31 districts shall be for projects that are substantially designed and
32 produced by students. The grants shall require a local private sector
33 match equal to the state grant, which may include in-kind contribution
34 of technical or other assistance from consultants or firms involved in
35 public relations, advertising, broadcasting, and graphics or video

1 production or other related fields. For purposes of evaluating the
2 impact of the campaigns, applicants shall estimate student pregnancy
3 and birth rates over the prior three to five years.

4 **PART III. REFOCUSING JOBS**

5 **Sec. 5.** RCW 74.25.010 and 1991 c 126 s 5 are each amended to read
6 as follows:

7 The legislature establishes as state policy the goal of economic
8 self-sufficiency for employable recipients of public assistance,
9 through employment, training, and education. In furtherance of this
10 policy, the legislature intends to comply with the requirements of the
11 federal social security act, as amended, by creating a job
12 opportunities and basic skills training program for applicants and
13 recipients of aid to families with dependent children. The purpose of
14 this program is to provide recipients of aid to families with dependent
15 children the opportunity to obtain a full range of necessary education,
16 training, skills, and supportive services, including child care,
17 consistent with their needs, that will help them enter or reenter
18 gainful employment, thereby avoiding long-term welfare dependence and
19 achieving economic self-sufficiency. The program shall be operated by
20 the department of social and health services in conformance with
21 federal law and consistent with the following legislative findings:

22 (1) The legislature finds that the well-being of children depends
23 not only on meeting their material needs, but also on the ability of
24 parents to become economically self-sufficient. The job opportunities
25 and basic skills training program is specifically directed at
26 increasing the labor force participation and household earnings of aid
27 to families with dependent children recipients, through the removal of
28 barriers preventing them from achieving self-sufficiency. These
29 barriers include, but are not limited to, the lack of recent work
30 experience, supportive services such as affordable and reliable child
31 care, adequate transportation, appropriate counseling, and necessary
32 job-related tools, equipment, books, clothing, and supplies, the
33 absence of basic literacy skills, the lack of educational attainment
34 sufficient to meet labor market demands for career employees, and the
35 nonavailability of useful labor market assessments.

36 (2) The legislature also recognizes that aid to families with
37 dependent children recipients must be acknowledged as active

1 participants in self-sufficiency planning under the program. The
2 legislature finds that the department of social and health services
3 should communicate concepts of the importance of work and how
4 performance and effort directly affect future career and educational
5 opportunities and economic well-being, as well as personal empowerment,
6 self-motivation, and self-esteem to program participants. The
7 legislature further recognizes that informed choice is consistent with
8 individual responsibility, and that parents should be given a range of
9 options for available child care while participating in the program.

10 (3) The legislature finds that current work experience is one of
11 the most important factors influencing an individual's ability to work
12 toward financial stability and an adequate standard of living in the
13 long term, and that work experience should be the most important
14 component of the program.

15 (4) The legislature finds that education, including, but not
16 limited to, literacy, high school equivalency, vocational, secondary,
17 and postsecondary, is one of the most important tools an individual
18 needs to achieve full independence, and that this should be an
19 important component of the program.

20 ((+4)) (5) The legislature further finds that the objectives of
21 this program are to assure that aid to families with dependent children
22 recipients gain experience in the labor force and thereby enhance their
23 long-term ability to achieve financial stability and an adequate
24 standard of living at wages that will meet family needs.

25 **Sec. 6.** RCW 74.25.020 and 1993 c 312 s 7 are each amended to read
26 as follows:

27 (1) The department of social and health services is authorized to
28 contract with public and private employment and training agencies and
29 other public service entities to provide services prescribed or allowed
30 under the federal social security act, as amended, to carry out the
31 purposes of the jobs training program. In contracting for job
32 placement services, the department is encouraged to structure payments
33 to the contractor on a performance basis. The department of social and
34 health services has sole authority and responsibility to carry out the
35 job opportunities and basic skills training program. No contracting
36 entity shall have the authority to review, change, or disapprove any
37 administrative decision, or otherwise substitute its judgment for that
38 of the department of social and health services as to the application

1 of policies and rules adopted by the department of social and health
2 services.

3 (2) To the extent feasible under federal law, the department of
4 social and health services and all entities contracting with it shall
5 (~~give first priority of service to individuals volunteering for~~
6 ~~program participation~~) require nonexempt recipients who are parents
7 under age twenty and nonexempt recipients who have received aid to
8 families with dependent children for thirty-six of the preceding sixty
9 months to actively participate in the job opportunities and basic
10 skills training program. Social services shall be offered to
11 participants in accordance with federal law. The department shall
12 adopt appropriate sanctions to ensure compliance with the requirements
13 and policies of this chapter.

14 (3) The department of social and health services shall adopt rules
15 under chapter 34.05 RCW establishing criteria constituting
16 circumstances of good cause for an individual failing or refusing to
17 participate in an assigned program component, or failing or refusing to
18 accept or retain employment. These criteria shall include, but not be
19 limited to, the following circumstances: (a) If the individual is a
20 parent or other relative personally providing care for a child under
21 age (~~six~~) one year(~~s~~), and the employment or program component
22 would require the individual to work or participate more than twenty
23 hours per week; (b) if child care, or day care for an incapacitated
24 individual living in the same home as a dependent child, is necessary
25 for an individual to participate or continue participation in the
26 program or accept employment, and such care is not available, and the
27 department of social and health services fails to provide such care;
28 (c) the employment would result in the family of the participant
29 experiencing a net loss of cash income; or (d) circumstances that are
30 beyond the control of the individual's household, either on a short-
31 term or on an ongoing basis.

32 (4) The department of social and health services shall adopt rules
33 under chapter 34.05 RCW as necessary to effectuate the intent and
34 purpose of this chapter.

35 NEW SECTION. Sec. 7. A new section is added to chapter 74.25 RCW
36 to read as follows:

37 The assessments and employability plan shall identify and primarily
38 respond to a participant's job readiness. The job opportunities and

1 basic skills training program components specified by the employability
2 plan shall place a high priority on participants gaining work
3 experience and participants will normally be expected to take any job
4 offered unless there is good cause to refuse to accept a job. Good
5 cause shall be found if any of the conditions described in RCW
6 74.25.020(3) are met, or if accepting a job would result in a
7 participant having to discontinue an education or job training program
8 that is part of the participant's employability plan prior to
9 completion of such education or job training program.

10 The department of social and health services shall track the
11 experience of those recipients who accept any job offered as part of
12 their job opportunities and basic skills program participation. In
13 tracking such recipients, the department shall determine the wages and
14 hours of the job taken, whether earnings resulted in ineligibility for
15 aid to families with dependent children, whether the recipient returns
16 to the aid to families with dependent children program, and, for
17 recipients who do return to the aid to families with dependent
18 children, the wages and hours of subsequent jobs taken.

19 Hours of unsubsidized employment shall count towards participation
20 requirements independent of date of hire or concurrent participation in
21 other components of the job opportunities and basic skills program.
22 The services specified in the employability plan will be targeted as
23 follows:

24 (1) Participants under age twenty may be required to complete high
25 school or other basic skills training;

26 (2) Participants who do not have recent work experience shall be
27 required to participate in paid or unpaid work experience or activities
28 leading directly to such experience, including job search, job
29 readiness, and job skills training;

30 (3) Participants who have recent work experience and more than a
31 high school diploma shall be required to participate in job search; and

32 (4) Vocational education programs shall be emphasized over
33 postsecondary education programs.

34 NEW SECTION. **Sec. 8.** A new section is added to chapter 74.25 RCW
35 to read as follows:

36 Recipients of aid to families with dependent children who are not
37 participating in an education or work training program may volunteer to
38 work in a licensed child care facility. Licensed child care facilities

1 participating in this effort shall provide care for the recipient's
2 children and provide for the development of positive child care skills.

3 NEW SECTION. **Sec. 9.** A new section is added to chapter 74.25 RCW
4 to read as follows:

5 The department of social and health services shall actively
6 incorporate job development services into the job opportunities and
7 basic skills program as follows:

8 (1) Job development services shall be based in the department's
9 community services offices.

10 (2) Job developers shall be responsible for identifying existing
11 and potential job openings, by developing relationships with existing
12 and potential area employers.

13 **PART IV. ELIGIBILITY AND BENEFIT PAYMENT REVISIONS**

14 NEW SECTION. **Sec. 10.** A new section is added to chapter 74.12 RCW
15 to read as follows:

16 (1) An applicant shall be presumed ineligible for aid to families
17 with dependent children if the applicant is under eighteen years of
18 age, unmarried, and is either pregnant or has a dependent child in the
19 applicant's care and the applicant and the applicant's dependent child
20 or children do not live in a place maintained by the applicant's
21 parent, legal guardian, or other adult relative as their own home, or
22 other appropriate supportive living arrangement supervised by an adult.

23 (2) The department may determine, after consideration of all
24 relevant factors, that application of the presumption established in
25 subsection (1) of this section to an individual applicant is not
26 appropriate.

27 (3) An applicant under eighteen years of age who is either pregnant
28 or has a dependent child and is not living in a situation described in
29 subsection (1) of this section shall be presumed to be unable to manage
30 adequately the funds paid on behalf of the dependent child and, unless
31 the teenage custodial parent demonstrates otherwise, shall be subject
32 to the protective payee requirements provided for under RCW 74.12.250.

33 NEW SECTION. **Sec. 11.** A new section is added to chapter 74.12 RCW
34 to read as follows:

1 The department shall pay to recipients of aid to families with
2 dependent children who are participating in the job opportunities and
3 basic skills training program a cash grant equal to the combined
4 monthly aid to families with dependent children benefit and monthly
5 food stamp benefit.

6 NEW SECTION. Sec. 12. A new section is added to chapter 74.12 RCW
7 to read as follows:

8 (1) After forty-eight monthly benefit payments in a sixty-month
9 period, and after each additional twelve monthly benefit payments, the
10 aid to families with dependent children monthly benefit payment shall
11 be reduced by ten percent of the payment standard, except that after
12 forty-eight monthly payments in a sixty-month period, full monthly
13 benefit payments may be made if:

14 (a) The person is incapacitated or is needed in the home to care
15 for a member of the assistance unit who is incapacitated;

16 (b) The person is needed in the home to care for a child who is
17 under two years of age;

18 (c) There are no adults in the assistance unit;

19 (d) The person has cooperated in the development and implementation
20 of an employability plan while receiving aid to families with dependent
21 children and no full-time, part-time, or unpaid work experience job is
22 offered during the period in which an employability plan is in effect;
23 or

24 (e) During a month in which a grant reduction would be imposed
25 under this section, the person is participating in an unpaid work
26 experience program.

27 (2) For purposes of determining the amount of the food stamp
28 benefit for recipients subject to benefit reductions provided for in
29 subsection (1) of this section, countable income from the aid to
30 families with dependent children program shall be set at the payment
31 standard.

32 (3) For purposes of determining monthly benefit payments for two
33 parent aid to families with dependent children households, the length
34 of stay criterion will be applied to the parent with the longer history
35 of public assistance receipt.

36 NEW SECTION. Sec. 13. A new section is added to chapter 74.12 RCW
37 to read as follows:

1 For purposes of determining the amount of monthly benefit payment
2 to recipients of aid to families with dependent children who are
3 subject to benefit reductions due to length of stay, all countable
4 nonexempt earned income shall be subtracted from an amount equal to the
5 payment standard.

6 NEW SECTION. **Sec. 14.** A new section is added to chapter 74.12 RCW
7 to read as follows:

8 The department shall amend the state plan to eliminate the one
9 hundred hour work rule for recipients of aid to families with dependent
10 children-employable.

11 NEW SECTION. **Sec. 15.** A new section is added to chapter 74.12 RCW
12 to read as follows:

13 The revisions to the aid to families with dependent children
14 program and job opportunities and basic skills training program shall
15 be implemented by the department of social and health services on a
16 state-wide basis.

17 **PART V. CHILD SUPPORT**

18 NEW SECTION. **Sec. 16.** The department of social and health
19 services shall make a substantial effort to determine the identity of
20 the noncustodial parent through consistent implementation of RCW
21 70.58.080. By December 1, 1994, the department of social and health
22 services shall report to the fiscal committees of the legislature on
23 the method for validating claims of good cause for refusing to
24 establish paternity, the methods used in other states, and the national
25 average rate of claims of good cause for refusing to establish
26 paternity compared to the Washington state rate of claims of good cause
27 for refusing to establish paternity, the reasons for differences in the
28 rates, and steps that may be taken to reduce these differences.

29 NEW SECTION. **Sec. 17.** A new section is added to chapter 74.20A
30 RCW to read as follows:

31 (1) In each case within the jurisdiction of the office of support
32 enforcement in which a child support obligation has been established,
33 the secretary shall issue a letter, by mail, to the parent responsible
34 for payment of the support obligation. The letter shall notify the

1 parent that the fact and amount of the child support obligation will be
2 reported to consumer reporting agencies, as defined in RCW 19.182.010,
3 operating in the state of Washington.

4 (2) Within thirty days following the date that a notice described
5 in subsection (1) of this section is mailed, the secretary shall report
6 the fact and amount of the child support obligation to consumer
7 reporting agencies, as defined in RCW 19.182.010, operating in the
8 state of Washington. Any modification in the amount of a child support
9 obligation for which a report has been made under this section, shall
10 be reported to consumer reporting agencies, as defined in RCW
11 19.182.010, operating in the state of Washington.

12 **PART VI. MISCELLANEOUS**

13 NEW SECTION. **Sec. 18.** A new section is added to chapter 74.12 RCW
14 to read as follows:

15 By October 1, 1994, the department shall request the governor to
16 seek congressional action on any federal legislation that may be
17 necessary to implement any sections of chapter . . . , Laws of 1994
18 (this act). By October 1, 1994, the department shall request the
19 governor to seek federal agency action on any federal regulation that
20 may require a federal waiver.

21 NEW SECTION. **Sec. 19.** If any provision of this act or its
22 application to any person or circumstance is held invalid, the
23 remainder of the act or the application of the provision to other
24 persons or circumstances is not affected.

25 NEW SECTION. **Sec. 20.** If any part of this act is found to be in
26 conflict with federal requirements that are a prescribed condition to
27 the allocation of federal funds to the state, the conflicting part of
28 this act is inoperative solely to the extent of the conflict and with
29 respect to the agencies directly affected, and this finding does not
30 affect the operation of the remainder of this act in its application to
31 the agencies concerned. The rules under this act shall meet federal
32 requirements that are a necessary condition to the receipt of federal
33 funds by the state.

1 NEW SECTION. **Sec. 21.** RCW 74.12.360 and 1993 c 312 s 10 are each
2 repealed.

3 NEW SECTION. **Sec. 22.** Sections 6, 7, and 11 of this act shall
4 take effect July 1, 1995.

5 NEW SECTION. **Sec. 23.** Sections 12 and 13 of this act shall take
6 effect July 1, 1996.

7 NEW SECTION. **Sec. 24.** Part headings as used in this act
8 constitute no part of the law.

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