
SENATE BILL 6141

State of Washington

56th Legislature

2000 Regular Session

By Senators Fairley, Fraser, Costa, Kline and Kohl-Welles

Read first time 01/10/2000. Referred to Committee on Labor & Workforce Development.

1 AN ACT Relating to reporting of domestic violence against
2 applicants and recipients of temporary assistance for needy families;
3 adding new sections to chapter 74.08A RCW; creating new sections; and
4 prescribing penalties.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the personal
7 responsibility and work opportunity reconciliation act of 1996, known
8 as the federal welfare reform law, placed a major emphasis on the
9 concept of personal responsibility for welfare recipients. Those on
10 welfare are now required to develop and sign individual personal
11 responsibility plans, promising to participate with regularity in
12 various work and family activities. The legislature finds that the
13 state, as a partner in welfare reform, also has a major responsibility
14 to help those in need who are applicants or recipients of temporary
15 assistance for needy families. The state's responsibility includes the
16 timely assessment and identification of applicants or recipients who
17 are presently the victims of domestic violence, in order to refer them
18 for appropriate help or treatment, and in order to promote their safety

1 and well-being by avoiding inappropriate work activity assignments that
2 may place the victims at increased risk.

3 The legislature intends that the caseworkers, social workers, case
4 managers, those performing client assessments, and job service
5 specialists who come into direct contact with applicants or recipients
6 of temporary assistance for needy families will be required to meet
7 their professional responsibilities by the timely identification of
8 domestic violence victims, with serious sanctions for failure to do so.

9 NEW SECTION. **Sec. 2.** Any employee of the department or the
10 employment security department who is in direct contact with an
11 applicant or recipient of temporary assistance for needy families,
12 including but not limited to social and health services caseworkers,
13 social workers, case managers, those performing temporary assistance
14 for needy families client assessments, and job services specialists,
15 who has reasonable cause to believe that the applicant or recipient has
16 suffered domestic violence shall report such information to the
17 department, in a manner designed to assure client confidentiality. The
18 duty to report includes a duty to make an immediate oral report of such
19 information to the department, and a report in writing within ten
20 calendar days of receiving the information regarding the domestic
21 violence victimization.

22 NEW SECTION. **Sec. 3.** Reports made under section 2 of this act
23 shall contain at a minimum the following information:

24 (1) Identification of the temporary assistance for needy families
25 applicant or recipient;

26 (2) The nature and extent of the suspected domestic violence;

27 (3) Evidence of previous domestic violence victimization;

28 (4) The name and job title of the person making the report; and

29 (5) Any other information that may be helpful in referring the
30 victim to appropriate services and work activities. Unless there is a
31 judicial proceeding or the applicant or recipient consents, the
32 identity of the applicant or recipient making the report shall be
33 confidential.

34 NEW SECTION. **Sec. 4.** The department and the employment security
35 department shall ensure timely responses to all reports made under
36 sections 2 through 6 of this act. If the departments find that a

1 presently unsafe living situation involving domestic violence exists,
2 the departments shall ensure that the appropriate protective services,
3 law enforcement referrals, or other referrals are provided to the
4 applicant or recipient, unless the applicant or recipient refuses to
5 consent to such services or referrals. At a minimum, a culturally
6 competent explanation of available law enforcement and shelter
7 resources shall be provided, in the language most readily
8 understandable to the applicant or recipient.

9 The department shall use information about the applicant or
10 recipient, based upon the report, to design an appropriate personal
11 responsibility plan and temporary assistance for needy families work
12 activity for the applicant or recipient.

13 NEW SECTION. **Sec. 5.** (1) An employee participating in good faith
14 in reporting under sections 2 through 6 of this act, or testifying
15 about alleged domestic violence victimization of an applicant or
16 recipient of temporary assistance for needy families in a judicial
17 proceeding, is immune from liability resulting from the report or
18 testimony.

19 (2) Conduct conforming with the reporting and testifying
20 requirements of sections 2 through 6 of this act shall not be deemed a
21 violation of any confidential communication privilege. Sections 2
22 through 6 of this act shall not be construed as superseding or
23 abridging remedies in chapter 4.92 RCW.

24 NEW SECTION. **Sec. 6.** An employee who is required to make or cause
25 to be made a report under sections 2 through 6 of this act, and who
26 knowingly fails to cause the report to be made is guilty of a gross
27 misdemeanor.

28 NEW SECTION. **Sec. 7.** The department of social and health services
29 and the employment security department shall provide or contract to
30 provide specialized training in culturally competent identification and
31 appropriate assistance of domestic violence victims. Training shall
32 include, at a minimum, the need for safety and confidentiality, the
33 identification of patterns and cycles of abuse, and awareness of local
34 and regional resources for legal assistance, counseling, and safe house
35 organizations. Training shall be timely provided to all employees who

1 are subject to criminal liability under sections 2 through 6 of this
2 act.

3 NEW SECTION. **Sec. 8.** Sections 2 through 7 of this act shall be
4 known as the personal responsibility for state workers domestic
5 violence reporting act.

6 NEW SECTION. **Sec. 9.** Sections 2 through 7 of this act are each
7 added to chapter 74.08A RCW.

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