
SENATE BILL 5898

State of Washington

65th Legislature

2017 Regular Session

By Senator Braun

Read first time 03/21/17. Referred to Committee on Ways & Means.

1 AN ACT Relating to eligibility for public assistance programs;
2 amending RCW 74.08A.260 and 74.62.030; and adding a new section to
3 chapter 74.08A RCW.

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

5 **Sec. 1.** RCW 74.08A.260 and 2011 1st sp.s. c 42 s 2 are each
6 amended to read as follows:

7 (1) Each recipient shall be assessed after determination of
8 program eligibility and before referral to job search. Assessments
9 shall be based upon factors that are critical to obtaining
10 employment, including but not limited to education, availability of
11 child care, history of family violence, history of substance abuse,
12 and other factors that affect the ability to obtain employment.
13 Assessments may be performed by the department or by a contracted
14 entity. The assessment shall be based on a uniform, consistent,
15 transferable format that will be accepted by all agencies and
16 organizations serving the recipient.

17 (2) Based on the assessment, an individual responsibility plan
18 shall be prepared that: (a) Sets forth an employment goal and a plan
19 for maximizing the recipient's success at meeting the employment
20 goal; (b) considers WorkFirst educational and training programs from
21 which the recipient could benefit; (c) contains the obligation of the

1 recipient to participate in the program by complying with the plan;
2 (d) moves the recipient into full-time WorkFirst activities as
3 quickly as possible; and (e) describes the services available to the
4 recipient either during or after WorkFirst to enable the recipient to
5 obtain and keep employment and to advance in the workplace and
6 increase the recipient's wage earning potential over time.

7 (3) Recipients who are not engaged in work and work activities,
8 and do not qualify for a good cause exemption under RCW 74.08A.270,
9 shall engage in self-directed service as provided in RCW 74.08A.330.

10 (4) If a recipient refuses to engage in work and work activities
11 required by the department, the family's grant shall be reduced by
12 the recipient's share, and may, if the department determines it
13 appropriate, be terminated.

14 (5) The department may waive the penalties required under
15 subsection (4) of this section, subject to a finding that the
16 recipient refused to engage in work for good cause provided in RCW
17 74.08A.270.

18 (6) In consultation with the recipient, the department or
19 contractor shall place the recipient into a work activity that is
20 available in the local area where the recipient resides.

21 (7) Assessments conducted under this section shall include a
22 consideration of the potential benefit to the recipient of engaging
23 in financial literacy activities. The department shall consider the
24 options for financial literacy activities available in the community,
25 including information and resources available through the financial
26 education public-private partnership created under RCW 28A.300.450.
27 The department may authorize up to ten hours of financial literacy
28 activities as a core activity or an optional activity under
29 WorkFirst.

30 (8)(a) (~~((From July 1, 2011, through June 30, 2012,))~~) Subsections
31 (2) through (6) of this section are suspended for a recipient who is
32 a parent or other relative personally providing care for ~~((one))~~ a
33 child under the age of two years~~((, or two or more children under the~~
34 ~~age of six years))~~. This suspension applies to both one and two
35 parent families. However, both parents in a two-parent family cannot
36 use the suspension during the same month. ~~((Beginning July 1, 2012,~~
37 ~~the department shall phase in the work activity requirements that~~
38 ~~were suspended, beginning with those recipients closest to reaching~~
39 ~~the sixty-month limit of receiving temporary assistance for needy~~
40 ~~families under RCW 74.08A.010(1)). The phase in shall be accomplished~~

1 ~~so that a fairly equal number of recipients required to participate~~
2 ~~in work activities are returned to those activities each month until~~
3 ~~the total number required to participate is participating by June 30,~~
4 ~~2013.))~~ Nothing in this subsection shall prevent a recipient from
5 participating in the WorkFirst program on a voluntary basis.
6 ~~((Recipients who participate in the WorkFirst program on a voluntary~~
7 ~~basis shall be provided an option to participate in the program on a~~
8 ~~part-time basis, consisting of sixteen or fewer hours of activities~~
9 ~~per week. Recipients also may participate voluntarily on a full-time~~
10 ~~basis.))~~

11 (b)(i) The period of suspension of work activities under this
12 subsection provides an opportunity for the legislative and executive
13 branches to oversee redesign of the WorkFirst program. To realize
14 this opportunity, both during the period of suspension and following
15 reinstatement of work activity requirements as redesign is being
16 implemented, a legislative-executive WorkFirst oversight task force
17 is established, with members as provided in this subsection (8)(b).

18 (ii) The president of the senate shall appoint two members from
19 each of the two largest caucuses of the senate.

20 (iii) The speaker of the house of representatives shall appoint
21 two members from each of the two largest caucuses of the house of
22 representatives.

23 (iv) The governor shall appoint members representing the
24 department of social and health services, the department of early
25 learning, the department of commerce, the employment security
26 department, the office of financial management, and the state board
27 for community and technical colleges.

28 (v) The task force shall choose cochairs, one from among the
29 legislative members and one from among the executive branch members.
30 The legislative members shall convene the initial meeting of the task
31 force.

32 (c) The task force shall:

33 (i) Oversee the partner agencies' implementation of the redesign
34 of the WorkFirst program and operation of the temporary assistance
35 for needy families program to ensure that the programs are achieving
36 desired outcomes for their clients;

37 (ii) Determine evidence-based outcome measures for the WorkFirst
38 program, including measures related to equitably serving the needs of
39 historically underrepresented populations, such as English language
40 learners, immigrants, refugees, and other diverse communities;

1 (iii) Develop accountability measures for WorkFirst recipients
2 and the state agencies responsible for their progress toward self-
3 sufficiency;

4 (iv) Make recommendations to the governor and the legislature
5 regarding:

6 (A) Policies to improve the effectiveness of the WorkFirst
7 program over time;

8 (B) Early identification of those recipients most likely to
9 experience long stays on the program and strategies to improve their
10 ability to achieve progress toward self-sufficiency; and

11 (C) Necessary changes to the program, including taking into
12 account federal changes to the temporary assistance for needy
13 families program.

14 (d) The partner agencies must provide the task force with regular
15 reports on:

16 (i) The partner agencies' progress toward meeting the outcome and
17 performance measures established under (c) of this subsection;

18 (ii) Caseload trends and program expenditures, and the impact of
19 those trends and expenditures on client services, including services
20 to historically underrepresented populations; and

21 (iii) The characteristics of families who have been unsuccessful
22 on the program and have lost their benefits either through sanction
23 or the sixty-month time limit.

24 (e) Staff support for the task force must be provided by senate
25 committee services, the house of representatives office of program
26 research, and the state agency members of the task force.

27 (f) The task force shall meet on a quarterly basis beginning
28 September 2011, or as determined necessary by the task force
29 cochairs.

30 (g) During its tenure, the state agency members of the task force
31 shall respond in a timely manner to data requests from the cochairs.

32 **Sec. 2.** RCW 74.62.030 and 2013 2nd sp.s. c 10 s 2 are each
33 amended to read as follows:

34 (1)(a) Effective November 1, 2011, the aged, blind, or disabled
35 assistance program shall provide financial grants to persons in need
36 who:

37 (i) Are not eligible to receive federal aid assistance, other
38 than basic food benefits transferred electronically and medical
39 assistance;

1 (ii) Meet the eligibility requirements of subsection (3) of this
2 section; and

3 (iii) Are aged, blind, or disabled. For purposes of determining
4 eligibility for assistance for the aged, blind, or disabled
5 assistance program, the following definitions apply:

6 (A) "Aged" means age sixty-five or older.

7 (B) "Blind" means statutorily blind as defined for the purpose of
8 determining eligibility for the federal supplemental security income
9 program.

10 (C) "Disabled" means likely to meet the federal supplemental
11 security income disability standard. In making this determination,
12 the department should give full consideration to the cumulative
13 impact of an applicant's multiple impairments, an applicant's age,
14 and vocational and educational history.

15 In determining whether a person is disabled, the department may
16 rely on, but is not limited to, the following:

17 (I) A previous disability determination by the social security
18 administration or the disability determination service entity within
19 the department; or

20 (II) A determination that an individual is eligible to receive
21 optional categorically needy medicaid as a disabled person under the
22 federal regulations at 42 C.F.R. Parts 435, Secs. 201(a)(3) and 210.

23 (b) The following persons are not eligible for the aged, blind,
24 or disabled assistance program:

25 (i) Persons who are not able to engage in gainful employment due
26 primarily to alcohol or drug addiction. These persons shall be
27 referred to appropriate assessment, treatment, shelter, or
28 supplemental security income referral services as authorized under
29 chapter 74.50 RCW. Referrals shall be made at the time of application
30 or at the time of eligibility review. This subsection may not be
31 construed to prohibit the department from granting aged, blind, or
32 disabled assistance benefits to alcoholics and drug addicts who are
33 incapacitated due to other physical or mental conditions that meet
34 the eligibility criteria for the aged, blind, or disabled assistance
35 program; or

36 (ii) Persons for whom there has been a final determination of
37 ineligibility for federal supplemental security income benefits.

38 (c) Persons may receive aged, blind, or disabled assistance
39 benefits pending application for federal supplemental security income
40 benefits for up to thirty-six months. The monetary value of any aged,

1 blind, or disabled assistance benefit that is subsequently duplicated
2 by the person's receipt of supplemental security income for the same
3 period shall be considered a debt due the state and shall by
4 operation of law be subject to recovery through all available legal
5 remedies.

6 (2) Effective November 1, 2011, the pregnant women assistance
7 program shall provide financial grants to persons who:

8 (a) Are not eligible to receive federal aid assistance other than
9 basic food benefits or medical assistance; and

10 (b) Are pregnant and in need, based upon the current income and
11 resource standards of the federal temporary assistance for needy
12 families program, but are ineligible for federal temporary assistance
13 for needy families benefits for a reason other than failure to
14 cooperate in program requirements; and

15 (c) Meet the eligibility requirements of subsection (3) of this
16 section.

17 (3) To be eligible for the aged, blind, or disabled assistance
18 program under subsection (1) of this section or the pregnant women
19 assistance program under subsection (2) of this section, a person
20 must:

21 (a) Be a citizen or alien lawfully admitted for permanent
22 residence or otherwise residing in the United States under color of
23 law;

24 (b) Meet the income and resource standards described in RCW
25 74.04.805(1) (d) and (e);

26 (c) Have furnished the department his or her social security
27 number. If the social security number cannot be furnished because it
28 has not been issued or is not known, an application for a number
29 shall be made prior to authorization of benefits, and the social
30 security number shall be provided to the department upon receipt;

31 (d) Not have refused or failed without good cause to participate
32 in drug or alcohol treatment if an assessment by a certified chemical
33 dependency counselor indicates a need for such treatment. Good cause
34 must be found to exist when a person's physical or mental condition,
35 as determined by the department, prevents the person from
36 participating in drug or alcohol dependency treatment, when needed
37 outpatient drug or alcohol treatment is not available to the person
38 in the county of his or her residence or when needed inpatient
39 treatment is not available in a location that is reasonably
40 accessible for the person; and

1 (e) Not have refused or failed to cooperate in obtaining federal
2 aid assistance, without good cause.

3 (4) Effective November 1, 2011, referrals for essential needs and
4 housing support under RCW 43.185C.220 shall be provided to persons
5 found eligible under RCW 74.04.805.

6 (5) No person may be considered an eligible individual for
7 benefits under this section with respect to any month if during that
8 month the person:

9 (a) Is fleeing to avoid prosecution of, or to avoid custody or
10 confinement for conviction of, a felony, or an attempt to commit a
11 felony, under the laws of the state of Washington or the place from
12 which the person flees; or

13 (b) Is violating a condition of probation, community supervision,
14 or parole imposed under federal or state law for a felony or gross
15 misdemeanor conviction.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.08A
17 RCW to read as follows:

18 All individuals shall demonstrate to the department that a job
19 search has been conducted prior to applying for assistance in the
20 Washington temporary assistance for needy families program. The
21 department shall adopt rules for the implementation of this section.

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