

SENATE BILL REPORT

HB 1748

As of February 17, 2022

Title: An act relating to aged, blind, or disabled program eligibility for victims of human trafficking.

Brief Description: Concerning aged, blind, or disabled program eligibility for victims of human trafficking.

Sponsors: Representatives Entenman, Leavitt, Valdez, Callan, Gregerson, Peterson, Shewmake, Wylie, Sullivan, Simmons, Riccelli and Harris-Talley; by request of Department of Social and Health Services.

Brief History: Passed House: 2/9/22, 96-0.

Committee Activity: Human Services, Reentry & Rehabilitation: 2/17/22.

Brief Summary of Bill

- Makes victims of human trafficking eligible for the Housing and Essential Needs (HEN) program, the Aged, Blind, or Disabled (ABD) program, and the Pregnant Women Assistance Program.
- Replaces references to drug or alcohol with substance use for purposes of the HEN and the ABD programs.

SENATE COMMITTEE ON HUMAN SERVICES, REENTRY & REHABILITATION

Staff: Corban Nemeth (786-7736)

Background: Housing and Essential Needs Program. The Department of Commerce (Commerce) administers the Housing and Essential Needs (HEN) program under the state's homeless housing program. If an individual is eligible for HEN, the Department of Social and Health Services (DSHS) refers that person to Commerce. HEN is funded by state general funds appropriated in the biennial operating budget.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Commerce distributes funding to designated HEN providers within each county who provide housing supports or essential needs supports to eligible individuals. Housing supports are assistance provided to maintain existing housing when the recipient is at substantial risk of becoming homeless, to obtain housing, or to obtain certain utility services when the recipient is at risk of losing those services. Housing supports can include rental assistance. Essential needs supports can include items such as personal hygiene and household supplies, bus passes, and laundry tokens. Recipients of HEN supports do not receive a cash grant.

DSHS must share information with Commerce and designated HEN providers that allows for verification of an individual's HEN eligibility. Commerce must provide a list of individuals eligible for HEN supports to providers on no less than a monthly basis.

The income standards for HEN eligibility are set in statute. Countable income for an individual must be at or below \$339 per month, and income for married couples must be at or below \$428 per month. A person is ineligible for HEN if they refuse or fail without good cause to participate in drug or alcohol treatment if an assessment by a certified chemical dependency counselor indicates a need for such treatment.

Aged, Blind, or Disabled Program. The Aged, Blind, or Disabled (ABD) program provides cash assistance to low-income individuals meeting eligibility requirements. DSHS determines eligibility for the ABD program. Eligible individuals must be age 65 or older, be blind, or have a long-term medical condition that is likely to meet federal disability criteria and result in qualification for the federal Supplemental Security Income (SSI) program.

ABD program recipients must cooperate with the federal disability application process. To assist with this process, ABD program recipients receive SSI facilitation. SSI facilitators help the ABD program recipients file applications for SSI and gather necessary medical evidence. The state receives a reimbursement for the cost of providing ABD program cash assistance when recipients are successfully transitioned to SSI.

A person is ineligible for the ABD program when they are not able to engage in gainful employment primarily due to alcohol or drug dependency. If the person has a separate impairment in addition to alcohol or drug dependency, the individual may be eligible to receive ABD program assistance.

Pregnant Women Assistance Program. The Pregnant Women Assistance Program (PWA) is a state-funded program that provides women who are low-income, pregnant and who are not eligible for Temporary Assistance for Needy Families (TANF) or State Family Assistance (SFA) with cash assistance and a referral to the HEN program for 24 consecutive months from the date DSHS determines PWA eligibility. This program provides a maximum monthly cash grant of \$363. Eligible women must be pregnant, reside in

Washington State, meet income and resource requirements; meet citizenship/alien status requirements, and do not meet a 60-month TANF time limit extension hardship category. A person is not eligible for PWA if they are eligible for TANF or SFA; refuse or fail to meet a TANF or SFA eligibility rule; do not participate in substance use disorder treatment when required, without good cause; or are eligible for SSI benefits.

Human Trafficking. Victims of human trafficking and other certain crimes, and their qualifying family members, are eligible for the following state assistance programs:

- Food Assistance Program for legal immigrants, if they are not eligible for the federal food stamp program;
- State Family Assistance Programs, if they otherwise meet program eligibility requirements; and
- Medical Care Services, if they are not eligible for Apple Health for Kids or other federal health insurance programs.

Victim of human trafficking is defined in statute as a non-citizen and any qualifying family members who have:

- filed or are preparing to file an application for a T or U visa with the appropriate federal agency; or
- been harmed by certain crimes including kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, or coercion of an involuntary servitude, the sexual exploitation of children, among others, and the person is taking steps to meet conditions for federal benefits for victims of trafficking, or the person is preparing to file or as filed an application for asylum.

A qualifying family member includes a victim's spouse, children, parents, and unmarried siblings under the age of 18, when the victim is under 21 years of age, and a victim's spouse and children, when the victim is 21 years old or older. A qualifying family member does not include a family member who has been charged with or convicted of attempt, conspiracy, solicitation, or commission of any crime referenced in this act when the crime is against a spouse who is a victim of human trafficking or against the child of a victim of human trafficking.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Striking Amendment): Victims of human trafficking, as defined in statute, are eligible for HEN, ABD and PWA.

The requirement that the applicant provide DSHS with their social security number, or that an application for a social security number be made prior to the authorization of benefits does not apply to victims of human trafficking if they have not have not been issued a social security number.

The term drug or alcohol treatment is replaced with substance use treatment. Technical and

clarifying changes are made in reference to substance use disorders and those with a substance use disorder.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on July 1, 2022.

Staff Summary of Public Testimony On Proposed Striking Amendment: PRO: Supportive of the striking amendment. This bill builds upon SB 5164, passed in 2020, allowing victims of human trafficking, and qualifying family members, be eligible for various state-funded assistance programs. This will help improve their health and well-being while also meeting basic needs

Persons Testifying: PRO: Babs Roberts, Department of Social and Health Services, Economic Services Administration.

Persons Signed In To Testify But Not Testifying: No one.