CERTIFICATION OF ENROLLMENT

SENATE BILL 5079

Chapter 331, Laws of 2025

69th Legislature
2025 Regular Session

DEPARTMENT OF SOCIAL AND HEALTH SERVICES—UNINTENTIONAL OVERPAYMENTS—COLLECTION WAIVERS

EFFECTIVE DATE: July 1, 2025

Passed by the Senate April 17, 2025
Yeas 49 Nays 0

JOHN LOVICK

President of the Senate

Passed by the House April 11, 2025
Yeas 93 Nays 2

LAURIE JINKINS

Speaker of the House of Representatives

Approved May 17, 2025 3:07 PM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5079** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

May 19, 2025

Secretary of State
State of Washington

SENATE BILL 5079

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Senators Muzzall, Christian, Dozier, Frame, Krishnadasan, Liias, and Trudeau; by request of Department of Social and Health Services

Prefiled 12/19/24. Read first time 01/13/25. Referred to Committee on Human Services.

AN ACT Relating to addressing the burden of unintentional overpayments on older adults and adults with disabilities served by the department of social and health services; amending RCW 43.20B.030; providing an effective date; and declaring an emergency.

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

Sec. 1. RCW 43.20B.030 and 2012 c 258 s 1 are each amended to read as follows:

(1) Except as otherwise provided by law, including subsection (2) of this section, there will be no collection of overpayments and other debts due the department after the expiration of six years from the date of notice of such overpayment or other debt unless the department has commenced recovery action in a court of law or unless an administrative remedy authorized by statute is in place. However, any amount due in a case thus extended shall cease to be a debt due the department at the expiration of ((~~ten~~)) 10 years from the date of the notice of the overpayment or other debt unless a court-ordered remedy would be in effect for a longer period.

(2) There will be no collection of debts due the department after the expiration of ((~~twenty~~)) 20 years from the date a lien is recorded pursuant to RCW 43.20B.080.

(3) The department, at any time, may accept offers of compromise of disputed claims or may grant partial or total write-off of any debt due the department if it is no longer cost-effective to pursue. The department shall adopt rules establishing the considerations to be made in the granting or denial of a partial or total write-off of debts.

(4) Notwithstanding the requirements of RCW 43.20B.630, 43.20B.635, 43.20B.640, and 43.20B.645, the department may waive all efforts to collect overpayments from a client when the department determines that the elements of equitable estoppel as set forth in WAC 388-02-0495, as it existed on January 1, 2012, are met.

(5) Beginning July 1, 2025, the department may waive all efforts to collect unintentional overpayments of the aged, blind, or disabled assistance program under RCW 74.62.030 and to functionally disabled clients receiving services and supports provided under chapters 74.39, 74.39A and 71A.12 RCW. The department shall adopt rules establishing the circumstances when the department will waive efforts at collection.

NEW SECTION. **Sec. 2.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2025.

Passed by the Senate April 17, 2025.
Passed by the House April 11, 2025.
Approved by the Governor May 17, 2025.
Filed in Office of Secretary of State May 19, 2025.

--- END ---