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HOUSE BILL 1741

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State of Washington

62nd Legislature

2011 Regular Session

By Representatives Kagi and Walsh; by request of Department of Social and Health Services

Read first time 02/01/11. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to temporary assistance for needy families  
2 benefits; amending RCW 74.08.025 and 74.08A.230; adding a new section  
3 to chapter 74.12 RCW; providing effective dates; and declaring an  
4 emergency.

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

6 **Sec. 1.** RCW 74.08.025 and 2005 c 174 s 2 are each amended to read  
7 as follows:

8 (1) Public assistance may be awarded to any applicant:

9 (a) Who is in need and otherwise meets the eligibility requirements  
10 of department assistance programs; and

11 (b) Who has not made a voluntary assignment of property or cash for  
12 the purpose of qualifying for an assistance grant; and

13 (c) Who is not an inmate of a public institution except as a  
14 patient in a medical institution or except as an inmate in a public  
15 institution who could qualify for federal aid assistance: PROVIDED,  
16 That the assistance paid by the department to recipients in nursing  
17 homes, or receiving nursing home care, may cover the cost of clothing  
18 and incidentals and general maintenance exclusive of medical care and  
19 health services. The department may pay a grant to cover the cost of

1 clothing and personal incidentals in public or private medical  
2 institutions and institutions for tuberculosis. The department shall  
3 allow recipients in nursing homes to retain, in addition to the grant  
4 to cover the cost of clothing and incidentals, wages received for work  
5 as a part of a training or rehabilitative program designed to prepare  
6 the recipient for less restrictive placement to the extent permitted  
7 under Title XIX of the federal social security act.

8 (2) Any person otherwise qualified for temporary assistance for  
9 needy families under this title who has resided in the state of  
10 Washington for fewer than twelve consecutive months immediately  
11 preceding application for assistance is limited to the benefit level in  
12 the state in which the person resided immediately before Washington,  
13 using the eligibility rules and other definitions established under  
14 this chapter, that was obtainable on the date of application in  
15 Washington state, if the benefit level of the prior state is lower than  
16 the level provided to similarly situated applicants in Washington  
17 state. The benefit level under this subsection shall be in effect for  
18 the first twelve months a recipient is on temporary assistance for  
19 needy families in Washington state.

20 (3) Any person otherwise qualified for temporary assistance for  
21 needy families who is assessed through the state alcohol and substance  
22 abuse program as drug or alcohol-dependent and requiring treatment to  
23 become employable shall be required by the department to participate in  
24 a drug or alcohol treatment program as a condition of benefit receipt.

25 (4) The department may implement a permanent disqualification for  
26 temporary assistance for needy families for parents who have been  
27 terminated due to WorkFirst noncompliance sanction three or more times  
28 since March 1, 2007.

29 (5) Pursuant to 21 U.S.C. 862a(d)(1), the department shall exempt  
30 individuals from the eligibility restrictions of 21 U.S.C. 862a(a)(1)  
31 and (2) to ensure eligibility for temporary assistance for needy  
32 families benefits and federal food assistance.

33 **Sec. 2.** RCW 74.08A.230 and 1997 c 58 s 308 are each amended to  
34 read as follows:

35 (1) In addition to their monthly benefit payment, a family may earn  
36 and keep (~~one-half~~) up to forty percent of its earnings as set by the

1 department during every month it is eligible to receive assistance  
2 under this section.

3 (2) In no event may a family be eligible for temporary assistance  
4 for needy families if its monthly gross earned income exceeds the  
5 maximum earned income level as set by the department. In calculating  
6 a household's gross earnings, the department shall disregard the  
7 earnings of a minor child who is:

8 (a) A full-time student; or

9 (b) A part-time student carrying at least half the normal school  
10 load and working fewer than thirty-five hours per week.

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

13 The department may adopt rules establishing eligibility for  
14 temporary assistance for needy families benefits for a child, other  
15 than a foster child, who lives with a caregiver other than his or her  
16 parents. These rules may include, but are not limited to, establishing  
17 income eligibility standards for the child's caregiver up to two  
18 hundred percent of the federal poverty level based on family size.

19 NEW SECTION. Sec. 4. Sections 1 and 2 of this act are necessary  
20 for the immediate preservation of the public peace, health, or safety,  
21 or support of the state government and its existing public  
22 institutions, and take effect April 1, 2011.

23 NEW SECTION. Sec. 5. Section 3 of this act takes effect November  
24 1, 2011.

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