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**SUBSTITUTE SENATE BILL 6508**

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**State of Washington**

**62nd Legislature**

**2012 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by Senator Pridemore)

READ FIRST TIME 02/03/12.

1       AN ACT Relating to department of social and health services waivers  
2 of overpayment recoveries; amending RCW 43.20B.030; and creating new  
3 sections.

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

5       **Sec. 1.** RCW 43.20B.030 and 2005 c 292 s 5 are each amended to read  
6 as follows:

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

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

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

6 (4) Notwithstanding the requirements of RCW 43.20B.630, 43.20B.635,  
7 43.20B.640, and 43.20B.645, the department may waive all efforts to  
8 collect overpayments from a client when the department determines the  
9 overpayment occurred through no fault of the client and the total  
10 overpayment was less than two thousand dollars.

11 NEW SECTION. Sec. 2. If any part of this act is found to be in  
12 conflict with federal requirements that are a prescribed condition to  
13 the allocation of federal funds to the state, the conflicting part of  
14 this act is inoperative solely to the extent of the conflict and with  
15 respect to the agencies directly affected, and this finding does not  
16 affect the operation of the remainder of this act in its application to  
17 the agencies concerned. Rules adopted under this act must meet federal  
18 requirements that are a necessary condition to the receipt of federal  
19 funds by the state.

20 NEW SECTION. Sec. 3. No later than January 1, 2013, the office of  
21 fraud and accountability within the department of social and health  
22 services, along with the state auditor's office and the department of  
23 early learning, shall collaborate in an effort to identify, review, and  
24 provide the legislature with recommendations for integrated monitoring  
25 and detection systems to prevent overpayments of public assistance from  
26 occurring.

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