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**SUBSTITUTE HOUSE BILL 2798**

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**State of Washington**

**53rd Legislature**

**1994 Regular Session**

**By** House Committee on Human Services (originally sponsored by Representatives Sommers, Thibaudeau, Cooke, Peery, Silver, Dorn, R. Meyers, Talcott, Valle, Carlson, Dunshee, Linville, Rust, Ballasiotes, Sehlin, Jacobsen, Foreman, Wolfe, Wineberry, Mastin, G. Fisher, Grant, Campbell, Brough, L. Thomas, B. Thomas, Lisk, McMorris, Chandler, Wood, Schoesler, Sheldon, Rayburn, Kremen, Brumsickle, Holm, Roland, Pruitt, Jones, Flemming, Horn, Kessler, Long, Shin, Moak, Finkbeiner, Quall, Conway, Springer, Tate, Mielke and Johanson)

Read first time 02/04/94.

1 AN ACT Relating to public assistance reform; amending RCW  
2 74.25.010, 74.25.020, and 74.12.360; adding new sections to chapter  
3 74.12 RCW; adding new sections to chapter 74.25 RCW; adding new  
4 sections to chapter 74.20A RCW; adding a new section to chapter 43.20A  
5 RCW; creating new sections; making appropriations; and providing an  
6 effective date.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that lengthy stays on  
9 welfare, the inadequate emphasis on employment by the social welfare  
10 system, and teen pregnancy are obstacles to achieving economic  
11 independence. Therefore, the legislature intends that:

12 (1) Income and employment assistance programs emphasize the  
13 temporary nature of welfare and set goals of responsibility, work, and  
14 independence;

15 (2) Employment assistance resources focus on recipients who are  
16 most at risk of a long-term stay on welfare;

17 (3) State institutions take an active role in preventing pregnancy  
18 in young teens; and

1 (4) Family planning assistance, including alternatives to abortion,  
2 be readily available to welfare recipients.

3 **PART I. EMPHASIZING WORK AND FAMILY PLANNING IN PUBLIC ASSISTANCE**

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.12 RCW  
5 to read as follows:

6 The department shall train financial services and social work staff  
7 who provide direct service to recipients of aid to families with  
8 dependent children to:

9 (1) Effectively communicate the transitional nature of aid to  
10 families with dependent children and the expectation that recipients  
11 will enter employment;

12 (2) Actively refer clients to the job opportunities and basic  
13 skills program;

14 (3) Provide social services needed to overcome obstacles to  
15 employability;

16 (4) Provide family planning information and assistance, including  
17 alternatives to abortion, which shall be conducted in consultation with  
18 the department of health;

19 (5) Work cooperatively with recipients in the development of the  
20 self-sufficiency plan; and

21 (6) Develop a friendly and efficient local office setting designed  
22 to minimize the waiting time for applicants for and recipients of  
23 public assistance, provide video and print information of value to  
24 applicants, recipients, and their children, and utilize volunteers in  
25 creative ways to provide educational and instructive services to  
26 children waiting in the local office.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.12 RCW  
28 to read as follows:

29 At time of application or reassessment under this chapter the  
30 department shall offer or contract for family planning information and  
31 assistance, including alternatives to abortion, to prospective and  
32 current recipients of aid to families with dependent children.

33 **PART II. TEEN PREGNANCY PREVENTION**



1 increasing the labor force participation and household earnings of aid  
2 to families with dependent children recipients, through the removal of  
3 barriers preventing them from achieving self-sufficiency. These  
4 barriers include, but are not limited to, the lack of recent work  
5 experience, supportive services such as affordable and reliable child  
6 care, adequate transportation, appropriate counseling, and necessary  
7 job-related tools, equipment, books, clothing, and supplies, the  
8 absence of basic literacy skills, the lack of educational attainment  
9 sufficient to meet labor market demands for career employees, and the  
10 nonavailability of useful labor market assessments.

11 (2) The legislature also recognizes that aid to families with  
12 dependent children recipients must be acknowledged as active  
13 participants in self-sufficiency planning under the program. The  
14 legislature finds that the department of social and health services  
15 should communicate concepts of the importance of work and how  
16 performance and effort directly affect future career and educational  
17 opportunities and economic well-being, as well as personal empowerment,  
18 self-motivation, and self-esteem to program participants. The  
19 legislature further recognizes that informed choice is consistent with  
20 individual responsibility, and that parents should be given a range of  
21 options for available child care while participating in the program.

22 (3) The legislature finds that current work experience is one of  
23 the most important factors influencing an individual's ability to work  
24 toward financial stability and an adequate standard of living in the  
25 long term, and that work experience should be the most important  
26 component of the program.

27 (4) The legislature finds that education, including, but not  
28 limited to, literacy, high school equivalency, vocational, secondary,  
29 and postsecondary, is one of the most important tools an individual  
30 needs to achieve full independence, and that this should be an  
31 important component of the program.

32 ((+4)) (5) The legislature further finds that the objectives of  
33 this program are to assure that aid to families with dependent children  
34 recipients gain experience in the labor force and thereby enhance their  
35 long-term ability to achieve financial stability and an adequate  
36 standard of living at wages that will meet family needs.

37 **Sec. 6.** RCW 74.25.020 and 1993 c 312 s 7 are each amended to read  
38 as follows:

1 (1) The department of social and health services is authorized to  
2 contract with public and private employment and training agencies and  
3 other public service entities to provide services prescribed or allowed  
4 under the federal social security act, as amended, to carry out the  
5 purposes of the jobs training program. In contracting for job  
6 placement services, the department is encouraged to structure payments  
7 to the contractor on a performance basis. The department of social and  
8 health services has sole authority and responsibility to carry out the  
9 job opportunities and basic skills training program. No contracting  
10 entity shall have the authority to review, change, or disapprove any  
11 administrative decision, or otherwise substitute its judgment for that  
12 of the department of social and health services as to the application  
13 of policies and rules adopted by the department of social and health  
14 services. The department shall aggressively seek to maximize the  
15 availability of federal funds for the job opportunities and basic  
16 skills program by utilizing available state and other funding as match  
17 for federal funds.

18 (2) To the extent feasible under federal law, the department of  
19 social and health services and all entities contracting with it shall  
20 ~~((give first priority of service to individuals volunteering for~~  
21 ~~program participation))~~ require nonexempt recipients who are parents  
22 under age twenty and nonexempt recipients who have received aid to  
23 families with dependent children for thirty-six of the preceding sixty  
24 months to actively participate in the job opportunities and basic  
25 skills training program. Social services shall be offered to  
26 participants in accordance with federal law. The department shall  
27 adopt appropriate sanctions to ensure compliance with the requirements  
28 and policies of this chapter.

29 (3) The department of social and health services shall adopt rules  
30 under chapter 34.05 RCW establishing criteria constituting  
31 circumstances of good cause for an individual failing or refusing to  
32 participate in an assigned program component, or failing or refusing to  
33 accept or retain employment. These criteria shall include, but not be  
34 limited to, the following circumstances: (a) If the individual is a  
35 parent or other relative personally providing care for a child under  
36 age ~~((six years, and the employment would require the individual to~~  
37 ~~work more than twenty hours per week))~~ three; (b) if child care, or day  
38 care for an incapacitated individual living in the same home as a  
39 dependent child, is necessary for an individual to participate or

1 continue participation in the program or accept employment, and such  
2 care is not available, and the department of social and health services  
3 fails to provide such care; (c) the employment would result in the  
4 family of the participant experiencing a net loss of cash income; or  
5 (d) circumstances that are beyond the control of the individual's  
6 household, either on a short-term or on an ongoing basis.

7 (4) The department of social and health services shall adopt rules  
8 under chapter 34.05 RCW as necessary to effectuate the intent and  
9 purpose of this chapter.

10 (5) The department of social and health services shall provide or  
11 contract for a program of community work experience for recipients of  
12 aid to families with dependent children, to the extent permitted under  
13 federal law. The program shall actively involve recipients in  
14 activities designed to promote community participation and development.  
15 The department shall establish criteria constituting circumstance of  
16 compelling cause for an individual failing or refusing to participate  
17 in the program of community work experience established in this  
18 subsection. These criteria include, but are not limited to, the  
19 following: (a) The individual is a parent or other relative providing  
20 care for a child under three years of age, and the employment would  
21 require the individual to participate more than ten hours per week; (b)  
22 child care is necessary for an individual to participate or continue  
23 participation in the program and such care is not available, and the  
24 department fails to provide such care; or (c) extenuating circumstances  
25 that are beyond the control of the individual's household, either on a  
26 short-term or on an ongoing basis.

27 NEW SECTION. Sec. 7. A new section is added to chapter 74.25 RCW  
28 to read as follows:

29 The department of social and health services shall seek all  
30 necessary approvals from the federal government to permit recipients of  
31 aid to families with dependent children to participate in a program of  
32 community service and community involvement through the Washington  
33 service corps.

34 NEW SECTION. Sec. 8. A new section is added to chapter 74.25 RCW  
35 to read as follows:

36 (1) The assessments and employability plan shall identify and  
37 primarily respond to a participant's job readiness. The job

1 opportunities and basic skills training program components specified by  
2 the employability plan shall place a high priority on participants  
3 gaining work experience.

4 Participants will normally be expected to accept any job offered  
5 unless there is good cause to refuse to accept a job. Good cause shall  
6 be found if:

7 (a) Any of the conditions described in RCW 74.25.020(2) are met;

8 (b) Accepting a job would result in a participant having to  
9 discontinue an education or job training program that is part of the  
10 participant's employability plan prior to completion of such education  
11 or job training program;

12 (c) The earnings or wage paid by a job would not enable the  
13 participant to achieve long-term self-sufficiency, but would render the  
14 participant ineligible for income assistance benefits; or

15 (d) The job involves unreasonable demands or conditions, such as  
16 working without getting paid on schedule, or the job exceeds the daily  
17 or weekly hours customary to the occupation.

18 (2) The services specified in the employability plan will be  
19 targeted as follows:

20 (a) Participants under age twenty may be required to complete high  
21 school or other basic skills training;

22 (b) Participants who do not have recent work experience shall be  
23 required to participate in paid or unpaid work experience or activities  
24 leading directly to such experience, including job search, job  
25 readiness, and job skills training;

26 (c) Participants who have recent work experience and more than a  
27 high school diploma shall be required to participate in job search; and

28 (d) Vocational education programs shall be emphasized over  
29 postsecondary education programs.

30 NEW SECTION. **Sec. 9.** A new section is added to chapter 74.25 RCW  
31 to read as follows:

32 Recipients of aid to families with dependent children who are not  
33 participating in an education or work training program may volunteer to  
34 work in a licensed child care facility. Licensed child care facilities  
35 participating in this effort shall provide care for the recipient's  
36 children and provide for the development of positive child care skills.

1        NEW SECTION. Sec. 10. A new section is added to chapter 74.25 RCW  
2 to read as follows:

3        The department of social and health services shall, within  
4 available funds, actively incorporate job development services into the  
5 job opportunities and basic skills program as follows:

6        (1) Job development services shall be based in the department's  
7 community services offices.

8        (2) Job developers shall be responsible for identifying existing  
9 and potential job openings, by developing relationships with existing  
10 and potential area employers.

11                    **PART IV. ELIGIBILITY AND BENEFIT PAYMENT REVISIONS**

12        **Sec. 11.** RCW 74.12.360 and 1993 c 312 s 10 are each amended to  
13 read as follows:

14        (1) ~~((As part of the orientation and assessment conducted pursuant~~  
15 ~~to RCW 74.25.020,))~~ The department shall ~~((assist the family of the~~  
16 ~~recipient in determining))~~ determine, in the following order of  
17 priority, the most appropriate living situation that will best ensure  
18 the safety and well-being for each recipient of aid to families with  
19 dependent children who is receiving those benefits as a head of  
20 household and is under age eighteen. Appropriate living situations may  
21 include, but are not limited to:

22        (a) The parent's home;

23        (b) The home of ~~((a))~~ an adult relative or legal guardian;

24        (c) A ~~((group))~~ living situation with adult supervision and  
25 guidance; and

26        (d) ~~((Living independently; and~~

27 ~~(e)))~~ Payment of the recipient's grant to another as provided in  
28 RCW 74.12.250.

29        (2) In conducting the assessment, the department shall consider all  
30 relevant factors, including but not limited to:

31        (a) Whether the recipient is enrolled in and attending school;

32        (b) Whether the recipient is employed;

33        (c) The situation in the home of the recipient's parents, including  
34 but not limited to, whether there is substance abuse or domestic  
35 violence in the home and the adequacy of the dwelling; and



1 (d) Whether there is a history of physical, emotional, or sexual  
2 abuse of the recipient by a person living in or frequenting the  
3 recipient's parents' home.

4 (3) If, as a result of the assessment, the department becomes aware  
5 of a recipient's need for other services that will help the recipient  
6 complete high school or achieve economic independence, and be an  
7 effective parent, the department shall make every effort to link the  
8 recipient with the services, including parenting classes.

9 NEW SECTION. **Sec. 12.** A new section is added to chapter 74.12 RCW  
10 to read as follows:

11 The department shall pay to recipients of aid to families with  
12 dependent children who are participating in the job opportunities and  
13 basic skills training program a cash grant equal to the combined  
14 monthly aid to families with dependent children benefit and monthly  
15 food stamp benefit.

16 NEW SECTION. **Sec. 13.** A new section is added to chapter 74.25 RCW  
17 to read as follows:

18 (1) The department of social and health services shall establish a  
19 supported employment component of the job opportunities and basic  
20 skills program for recipients of aid to families with dependent  
21 children benefits who have little, if any work experience and have been  
22 receiving assistance for a period of at least thirty-six months of the  
23 preceding sixty months.

24 (2) The supported employment component shall:

25 (a) Engage in aggressive job development efforts;

26 (b) Provide recipients participating in the program with intensive  
27 case management services that address their individual and family  
28 needs;

29 (c) Define intensive case management services to include support to  
30 both the recipient and the recipient's employer, including support at  
31 the employer's workplace to the extent that such support is needed; and

32 (d) Broadly define support services to include any services needed  
33 by the recipient to achieve self-sufficiency.

34 NEW SECTION. **Sec. 14.** A new section is added to chapter 74.12 RCW  
35 to read as follows:

1 For purposes of determining the amount of monthly benefit payment  
2 to recipients of aid to families with dependent children who are  
3 subject to family size limitations or benefit reductions due to length  
4 of stay, all countable nonexempt earned income shall be subtracted from  
5 an amount equal to the payment standard.

6 NEW SECTION. **Sec. 15.** A new section is added to chapter 74.12 RCW  
7 to read as follows:

8 The revisions to the aid to families with dependent children  
9 program and job opportunities and basic skills training program shall  
10 be implemented by the department of social and health services on a  
11 state-wide basis.

12 **PART V. CHILD SUPPORT**

13 NEW SECTION. **Sec. 16.** The department of social and health  
14 services shall attempt to determine the identity of the noncustodial  
15 parent through consistent implementation of RCW 70.58.080. By December  
16 1, 1994, the department of social and health services shall report to  
17 the fiscal committees of the legislature on the method for validating  
18 claims of good cause for refusing to establish paternity, the methods  
19 used in other states, and the fiscal impact of the current method.

20 NEW SECTION. **Sec. 17.** A new section is added to chapter 74.20A  
21 RCW to read as follows:

22 (1) In each case within the jurisdiction of office of support  
23 enforcement in which a child support obligation has been established,  
24 the secretary shall issue a letter, by mail, to the parent responsible  
25 for payment of the support obligation. The letter shall notify the  
26 parent that the fact and amount of the child support obligation will be  
27 reported to consumer reporting agencies, as defined in RCW 19.182.010,  
28 operating in the state of Washington.

29 (2) Within thirty days following the date that a notice described  
30 in subsection (1) of this section is mailed, the secretary shall report  
31 the fact and amount of the child support obligation to consumer  
32 reporting agencies, as defined in RCW 19.182.010, operating in the  
33 state of Washington. Any modification in the amount of a child support  
34 obligation for which a report has been made under this section, shall

1 be reported to consumer reporting agencies, as defined in RCW  
2 19.182.010, operating in the state of Washington.

3 NEW SECTION. **Sec. 18.** The Washington state institute for public  
4 policy shall undertake a study to determine the feasibility of  
5 establishing a child support assurance system in Washington state. A  
6 child support assurance system is one that provides a guarantee of a  
7 minimum child support benefit to custodial parents with a child support  
8 order, that is uniform and independent of the actual support order  
9 established for any child. The study must include, but not be limited  
10 to, consideration of the following issues:

11 (1) Whether child support assurance payments should be available to  
12 custodial parents, regardless of financial need, or be limited to  
13 custodial parents with income below a fixed threshold level;

14 (2) How the amount of the monthly child support assurance payment  
15 should be determined;

16 (3) Whether, or to what extent, child support assurance payments  
17 should be disregarded as income for purposes of determining eligibility  
18 for income assistance benefits;

19 (4) How child support assurance payments can be structured to  
20 minimize or avoid adverse effects on food stamp benefits, subsidized  
21 housing, or the earned income tax credit; and

22 (5) Whether additional steps should be taken to increase the number  
23 of children for whom a child support order has been issued.

24 The results of the study must be submitted to the governor and  
25 appropriate committees of the legislature by December 1, 1994.

26 NEW SECTION. **Sec. 19.** A new section is added to chapter 74.20A  
27 RCW to read as follows:

28 If federal funds become available to the states for the purpose of  
29 conducting child support demonstration projects, the department shall  
30 take any actions necessary to apply for the funds.

31 NEW SECTION. **Sec. 20.** The sum of fifty thousand dollars, or as  
32 much thereof as may be necessary, is appropriated for the biennium  
33 ending June 30, 1995, from the general fund to The Evergreen State  
34 College solely for the purposes of section 18 of this act.

1        NEW SECTION.    **Sec. 21.**    A new section is added to chapter 43.20A  
2    RCW to read as follows:

3        Through an interagency effort, the department shall:

4        (1) Produce a package of information on the federal earned income  
5    tax credit, with particular emphasis on the right of a low-income  
6    worker to obtain advance payment of an earned income tax credit; and

7        (2) Aggressively distribute the package throughout the state of  
8    Washington.    In developing a distribution strategy, the department  
9    shall seek the input, to the maximum extent possible, of private  
10   businesses, private marketing firms, community-based organizations, and  
11   other appropriate entities.

12       NEW SECTION.    **Sec. 22.**    The sum of four million five hundred  
13   thousand dollars of the general fund--state appropriation and four  
14   million five hundred thousand dollars of the general fund--federal  
15   appropriation are hereby appropriated for the biennium ending June 30,  
16   1995, for the provisions of RCW 74.12A.010.    If federal waivers  
17   authorizing fill the gap budgeting for earned income are not received  
18   by the governor by June 30, 1994, this section shall be null and void.

19       NEW SECTION.    **Sec. 23.**    The sum of four hundred thousand dollars of  
20   the general fund--state appropriation and four hundred thousand dollars  
21   of the general fund--federal appropriation are hereby appropriated for  
22   the biennium ending June 30, 1995, to eliminate the one hundred hour  
23   rule in the aid to families with dependent children-employable program.  
24   If federal waivers are not received by the governor by June 30, 1994,  
25   this section is null and void.

26       NEW SECTION.    **Sec. 24.**    The sum of . . . . . dollars, or as much  
27   thereof as may be necessary, is appropriated for the biennium ending  
28   June 30, 1995, from the general fund--state to the department of social  
29   and health services for the purposes of implementing sections 2 and 3  
30   of this act.

31       NEW SECTION.    **Sec. 25.**    The sum of . . . . . dollars, or as much  
32   thereof as may be necessary, is appropriated for the biennium ending  
33   June 30, 1995, from the general fund--state to the office of the  
34   superintendent of public instruction for the purposes of implementing  
35   section 4 of this act.

