
HOUSE BILL 2798

State of Washington

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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 01/24/94. Referred to Committee on Human Services.

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

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

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

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

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

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

18 (4) Family planning assistance be readily available to welfare
19 recipients.

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

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

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

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

10 (2) Actively refer clients to the job opportunities and basic
11 skills program;

12 (3) Provide social services needed to overcome obstacles to
13 employability; and

14 (4) Provide family planning information and assistance, which shall
15 be conducted in consultation with the department of health.

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

18 At time of application or reassessment under this chapter the
19 department shall offer or contract for family planning information and
20 assistance to prospective and current recipients of aid to families
21 with dependent children.

22 **PART II. TEEN PREGNANCY PREVENTION**

23 NEW SECTION. **Sec. 4.** For the 1994-95 school year, the office of
24 the superintendent of public instruction shall administer a program
25 that provides grants to school districts for media campaigns addressing
26 the importance of delaying sexual activity, pregnancy, and childbearing
27 until individuals are ready to nurture and support their children. The
28 messages shall be distributed in the school and community where
29 produced. Grants to the school districts shall be for projects that
30 are substantially designed and produced by students. The grants shall
31 require a local private sector match equal to the state grant, which
32 may include in-kind contribution of technical or other assistance from
33 consultants or firms involved in public relations, advertising,
34 broadcasting, and graphics or video production or other related fields.
35 For purposes of evaluating the impact of the campaigns, applicants

1 shall estimate student pregnancy and birth rates over the prior three
2 to five years.

3 **PART III. REFOCUSING JOBS**

4 **Sec. 5.** RCW 74.25.010 and 1991 c 126 s 5 are each amended to read
5 as follows:

6 The legislature establishes as state policy the goal of economic
7 self-sufficiency for employable recipients of public assistance,
8 through employment, training, and education. In furtherance of this
9 policy, the legislature intends to comply with the requirements of the
10 federal social security act, as amended, by creating a job
11 opportunities and basic skills training program for applicants and
12 recipients of aid to families with dependent children. The purpose of
13 this program is to provide recipients of aid to families with dependent
14 children the opportunity to obtain a full range of necessary education,
15 training, skills, and supportive services, including child care,
16 consistent with their needs, that will help them enter or reenter
17 gainful employment, thereby avoiding long-term welfare dependence and
18 achieving economic self-sufficiency. The program shall be operated by
19 the department of social and health services in conformance with
20 federal law and consistent with the following legislative findings:

21 (1) The legislature finds that the well-being of children depends
22 not only on meeting their material needs, but also on the ability of
23 parents to become economically self-sufficient. The job opportunities
24 and basic skills training program is specifically directed at
25 increasing the labor force participation and household earnings of aid
26 to families with dependent children recipients, through the removal of
27 barriers preventing them from achieving self-sufficiency. These
28 barriers include, but are not limited to, the lack of recent work
29 experience, supportive services such as affordable and reliable child
30 care, adequate transportation, appropriate counseling, and necessary
31 job-related tools, equipment, books, clothing, and supplies, the
32 absence of basic literacy skills, the lack of educational attainment
33 sufficient to meet labor market demands for career employees, and the
34 nonavailability of useful labor market assessments.

35 (2) The legislature also recognizes that aid to families with
36 dependent children recipients must be acknowledged as active
37 participants in self-sufficiency planning under the program. The

1 legislature finds that the department of social and health services
2 should communicate concepts of the importance of work and how
3 performance and effort directly affect future career and educational
4 opportunities and economic well-being, as well as personal empowerment,
5 self-motivation, and self-esteem to program participants. The
6 legislature further recognizes that informed choice is consistent with
7 individual responsibility, and that parents should be given a range of
8 options for available child care while participating in the program.

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

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

19 ~~((4))~~ (5) The legislature further finds that the objectives of
20 this program are to assure that aid to families with dependent children
21 recipients gain experience in the labor force and thereby enhance their
22 long-term ability to achieve financial stability and an adequate
23 standard of living at wages that will meet family needs.

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

26 (1) The department of social and health services is authorized to
27 contract with public and private employment and training agencies and
28 other public service entities to provide services prescribed or allowed
29 under the federal social security act, as amended, to carry out the
30 purposes of the jobs training program. In contracting for job
31 placement services, the department is encouraged to structure payments
32 to the contractor on a performance basis. The department of social and
33 health services has sole authority and responsibility to carry out the
34 job opportunities and basic skills training program. No contracting
35 entity shall have the authority to review, change, or disapprove any
36 administrative decision, or otherwise substitute its judgment for that
37 of the department of social and health services as to the application

1 of policies and rules adopted by the department of social and health
2 services.

3 (2) To the extent feasible under federal law, the department of
4 social and health services and all entities contracting with it shall
5 ~~((give first priority of service to individuals volunteering for
6 program participation))~~ require nonexempt recipients who are parents
7 under age twenty and nonexempt recipients who have received aid to
8 families with dependent children for thirty-six of the preceding sixty
9 months to actively participate in the job opportunities and basic
10 skills training program. Social services shall be offered to
11 participants in accordance with federal law. The department shall
12 adopt appropriate sanctions to ensure compliance with the requirements
13 and policies of this chapter.

14 (3) The department of social and health services shall adopt rules
15 under chapter 34.05 RCW establishing criteria constituting
16 circumstances of good cause for an individual failing or refusing to
17 participate in an assigned program component, or failing or refusing to
18 accept or retain employment. These criteria shall include, but not be
19 limited to, the following circumstances: (a) If the individual is a
20 parent or other relative personally providing care for a child under
21 age six ~~((years, and the employment would require the individual to
22 work more than twenty hours per week))~~ months; (b) if child care, or
23 day care for an incapacitated individual living in the same home as a
24 dependent child, is necessary for an individual to participate or
25 continue participation in the program or accept employment, and such
26 care is not available, and the department of social and health services
27 fails to provide such care; (c) the employment would result in the
28 family of the participant experiencing a net loss of cash income; or
29 (d) circumstances that are beyond the control of the individual's
30 household, either on a short-term or on an ongoing basis.

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

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

36 The assessments and employability plan shall identify and primarily
37 respond to a participant's job readiness. The job opportunities and
38 basic skills training program components specified by the employability

1 plan shall place a high priority on participants gaining work
2 experience and participants will normally be expected to take any job
3 offered. The services specified in the employability plan will be
4 targeted as follows:

5 (1) Participants under age twenty may be required to complete high
6 school or other basic skills training;

7 (2) Participants who do not have recent work experience shall be
8 required to participate in paid or unpaid work experience or activities
9 leading directly to such experience, including job search, job
10 readiness, and job skills training;

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

13 (4) Vocational education programs shall be emphasized over
14 postsecondary education programs.

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

16 NEW SECTION. **Sec. 8.** A new section is added to chapter 74.12 RCW
17 to read as follows:

18 (1) Applicants shall be ineligible for aid to families with
19 dependent children if the applicant is under eighteen years of age,
20 unmarried, and is either pregnant or has a dependent child in the
21 applicant's care and the applicant and the applicant's dependent child
22 or children do not live in a place maintained by the applicant's
23 parent, legal guardian, or other adult relative as their own home, or
24 other supportive living arrangement supervised by an adult.

25 (2) Subsection (1) of this section does not apply if the applicant
26 establishes that the physical and emotional health or safety of the
27 applicant and dependent child or children would be jeopardized in a
28 living situation described in subsection (1) of this section.

29 (3) An applicant under eighteen years of age who is either pregnant
30 or has a dependent child and is not living in a situation described in
31 subsection (1) of this section shall be presumed to be unable to manage
32 adequately the funds paid on behalf of the dependent child and, unless
33 the teenage custodial parent demonstrates otherwise, shall be subject
34 to the protective payee requirements provided for under RCW 74.12.250.

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

1 The department shall pay to recipients of aid to families with
2 dependent children who are participating in the job opportunities and
3 basic skills training program a cash grant equal to the combined
4 monthly aid to families with dependent children benefit and monthly
5 food stamp benefit.

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

8 The amount of aid to families with dependent children monthly
9 benefit payment shall reflect the number of children in a family on the
10 latter of the effective date of this section or the date of application
11 for assistance. If an applicant received an aid to families with
12 dependent children monthly benefit payment in the previous twenty-four
13 months, the monthly benefit payment will be set at the level effective
14 at last receipt of aid to families with dependent children.

15 NEW SECTION. **Sec. 11.** A new section is added to chapter 74.12 RCW
16 to read as follows:

17 (1) After forty-eight monthly benefit payments in a sixty-month
18 period, and after each additional twelve monthly benefit payments, the
19 aid to families with dependent children monthly benefit payment shall
20 be reduced by ten percent of the amount for which the recipient is
21 otherwise eligible, except that after forty-eight monthly payments in
22 a sixty-month period, full monthly benefit payments may be made if:

23 (a) The person is incapacitated or is needed in the home to care
24 for a member of the assistance unit who is incapacitated;

25 (b) The person is needed in the home to care for a child who is
26 under six months of age.

27 (2) For purposes of determining the amount of the food stamp
28 benefit for recipients subject to benefit reductions provided for in
29 subsection (1) of this section, countable income from the aid to
30 families with dependent children program shall be set at the amount of
31 monthly benefit payment for which the recipient would be eligible if
32 not subject to length of stay reductions.

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

35 For purposes of determining the amount of monthly benefit payment
36 to recipients of aid to families with dependent children who are

1 subject to family size limitations or benefit reductions due to length
2 of stay, all countable nonexempt earned income shall be subtracted from
3 an amount equal to the payment standard.

4 NEW SECTION. **Sec. 13.** A new section is added to chapter 74.12 RCW
5 to read as follows:

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

10 **PART V. CHILD SUPPORT**

11 NEW SECTION. **Sec. 14.** The department of social and health
12 services shall make every effort to determine the identity of the
13 noncustodial parent. By December 1, 1994, the department of social and
14 health services shall report to the fiscal committees of the
15 legislature on the method for validating claims of good cause for
16 refusing to establish paternity, the methods used in other states, and
17 the fiscal impact of the current method. The department of social and
18 health services shall set a schedule for achieving the national average
19 rate of validated claims of good cause for refusing to establish
20 paternity compared to total state population of children under eighteen
21 years old.

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

24 The parent of a dependent person under the age of eighteen shall
25 maintain a child of the dependent person so far as the parent is able
26 and to the extent that the dependent person is unable to do so. The
27 parent of a dependent person who is under the age of eighteen and is
28 determined to be the father of a child is responsible for maintenance
29 of that child. The period for which maintenance payment is ordered for
30 the parent of a dependent person may not extend beyond the date on
31 which the dependent person attains eighteen years of age.

32 NEW SECTION. **Sec. 16.** A new section is added to chapter 74.20A
33 RCW to read as follows:

1 The secretary shall utilize a credit reporting program as follows:

2 (1) If a support payment is past due and a parent's support order
3 has been entered in accordance with RCW 26.23.050(1), the secretary
4 shall issue a warning letter to the parent, by mail, to the last known
5 address of the parent. The letter shall notify the parent that failure
6 to pay the support debt and to make arrangements for timely payment of
7 support obligations within thirty days of receipt of the warning letter
8 will result in reporting of the child support obligation and debt to
9 consumer reporting agencies, as defined in RCW 19.182.010, operating in
10 the state of Washington.

11 (2) If a parent notified pursuant to subsection (1) of this section
12 fails to pay the support debt and make arrangements for timely payment
13 of support obligations within thirty days of receipt of the warning
14 letter, the secretary shall notify all consumer reporting agencies, as
15 defined in RCW 19.182.010, operating in the state of Washington, of the
16 child support debt. The fact of the child support obligation shall
17 continue to be reported even if the parent's account is later brought
18 current.

19 NEW SECTION. **Sec. 17.** The sum of dollars, or as much
20 thereof as may be necessary, is appropriated for the biennium ending
21 June 30, 1995, from the general fund--state to the department of social
22 and health services for the purposes of implementing sections 2 and 3
23 of this act.

24 NEW SECTION. **Sec. 18.** The sum of dollars, or as much
25 thereof as may be necessary, is appropriated for the biennium ending
26 June 30, 1995, from the general fund--state to the office of the
27 superintendent of public instruction for the purposes of implementing
28 section 4 of this act.

29 NEW SECTION. **Sec. 19.** A new section is added to chapter 74.12 RCW
30 to read as follows:

31 By October 1, 1994, the department shall request the governor to
32 seek congressional action on any federal legislation that may be
33 necessary to implement any sections of chapter . . . , Laws of 1994
34 (this act). By October 1, 1994, the department shall request the
35 governor to seek federal agency action on any federal regulation that
36 may require a federal waiver.

1 **PART VI. MISCELLANEOUS**

2 NEW SECTION. **Sec. 20.** If any provision of this act or its
3 application to any person or circumstance is held invalid, the
4 remainder of the act or the application of the provision to other
5 persons or circumstances is not affected.

6 NEW SECTION. **Sec. 21.** If any part of this act is found to be in
7 conflict with federal requirements that are a prescribed condition to
8 the allocation of federal funds to the state, the conflicting part of
9 this act is inoperative solely to the extent of the conflict and with
10 respect to the agencies directly affected, and this finding does not
11 affect the operation of the remainder of this act in its application to
12 the agencies concerned. The rules under this act shall meet federal
13 requirements that are a necessary condition to the receipt of federal
14 funds by the state.

15 NEW SECTION. **Sec. 22.** RCW 74.12.360 and 1993 c 312 s 10 are each
16 repealed.

17 NEW SECTION. **Sec. 23.** Sections 8 through 10, 12, 15, and 22 of
18 this act shall take effect July 1, 1995.

19 NEW SECTION. **Sec. 24.** Section 11 of this act shall take effect
20 July 1, 1996.

21 NEW SECTION. **Sec. 25.** Part headings as used in this act
22 constitute no part of the law.

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