
SENATE BILL 6331

State of Washington

55th Legislature

1998 Regular Session

By Senators Hargrove, Long, Fairley, Stevens and Oke

Read first time 01/15/98. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to teen parent eligibility for temporary assistance
2 for needy families; amending RCW 74.12.255, 74.04.0052, and 74.08A.380;
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that there is an
6 abundance of scientific, medical, educational, and psychosocial
7 evidence demonstrating the negative effects of unmarried minor teen
8 childbearing on mother and baby.

9 Infants born to unmarried minor teens are significantly more likely
10 to have low birth weight and related health problems, trouble in
11 school, and trouble with the criminal justice system. Girls born to
12 unmarried minor teen parents are more likely to become teen parents
13 themselves. The teen parents, the infant, and in many cases society
14 itself pay the price for such unsupported and ill-prepared childbirth.

15 The legislature is concerned with the well-being of minor teen
16 parents and their infants and children, including their living
17 situation, and their educational and employment needs. Therefore, the
18 legislature intends that unmarried minor teen parents applying for
19 public assistance meet standards of safety, education, and responsible

1 behavior. The legislature intends that, in cases where these teen
2 parents are uncooperative with the standards, the minor parent head of
3 the assistance unit and the minor parent's child or children be denied
4 public assistance benefits until cooperation with legal requirements
5 for temporary assistance for needy families for teens is achieved. The
6 legislature intends that, during the period of noncompliance, children
7 of uncooperative minor teen parents be ineligible for assistance,
8 including child-only benefits.

9 **Sec. 2.** RCW 74.12.255 and 1997 c 58 s 501 are each amended to read
10 as follows:

11 (1) The department shall determine, after consideration of all
12 relevant factors and in consultation with the applicant, the most
13 appropriate living situation for applicants under eighteen years of
14 age, unmarried, and either pregnant or having a dependent child or
15 children in the applicant's care. An appropriate living situation
16 shall include a place of residence that is maintained by the
17 applicant's parents, parent, legal guardian, or other adult relative as
18 their or his or her own home and that the department finds would
19 provide an appropriate supportive living arrangement. It also includes
20 a living situation maintained by an agency that is licensed under
21 chapter 74.15 RCW that the department finds would provide an
22 appropriate supportive living arrangement. Grant assistance shall not
23 be provided under this chapter to the teen parent and his or her child
24 or children if the applicant does not reside in the most appropriate
25 living situation, as determined by the department.

26 (2) An unmarried minor parent or pregnant minor applicant residing
27 in the most appropriate living situation, as provided under subsection
28 (1) of this section, is presumed to be unable to manage adequately the
29 funds paid to the minor or on behalf of the dependent child or children
30 and, unless the minor provides sufficient evidence to rebut the
31 presumption, shall be subject to the protective payee requirements
32 provided for under RCW 74.12.250 and 74.08.280.

33 (3) The department shall consider any statements or opinions by
34 either parent of the unmarried minor parent or pregnant minor applicant
35 as to an appropriate living situation for the minor and his or her
36 children, whether in the parental home or other situation. If the
37 parents or a parent of the minor request, they or he or she shall be
38 entitled to a hearing in juvenile court regarding designation of the

1 parental home or other relative placement as the most appropriate
2 living situation for the pregnant or parenting minor.

3 The department shall provide the parents or parent with the
4 opportunity to make a showing that the parental home, or home of the
5 other relative placement, is the most appropriate living situation. It
6 shall be presumed in any administrative or judicial proceeding
7 conducted under this subsection that the parental home or other
8 relative placement requested by the parents or parent is the most
9 appropriate living situation. This presumption is rebuttable.

10 (4) In cases in which the minor is unmarried and unemployed, the
11 department shall, as part of the determination of the appropriate
12 living situation, make an affirmative effort to provide current and
13 positive information about adoption including referral to community-
14 based organizations for counseling and provide information about the
15 manner in which adoption works, its benefits for unmarried, unemployed
16 minor parents and their children, and the meaning and availability of
17 open adoption.

18 (5) For the purposes of this section, "most appropriate living
19 situation" shall not include a living situation including an adult male
20 who fathered the qualifying child and is found to meet the elements of
21 rape of a child as set forth in RCW 9A.44.079.

22 **Sec. 3.** RCW 74.04.0052 and 1997 c 58 s 502 are each amended to
23 read as follows:

24 (1) The department shall determine, after consideration of all
25 relevant factors and in consultation with the applicant, the most
26 appropriate living situation for applicants under eighteen years of
27 age, unmarried, and pregnant who are eligible for general assistance as
28 defined in RCW 74.04.005(6)(a)(ii)(A). An appropriate living situation
29 shall include a place of residence that is maintained by the
30 applicant's parents, parent, legal guardian, or other adult relative as
31 their or his or her own home and that the department finds would
32 provide an appropriate supportive living arrangement. It also includes
33 a living situation maintained by an agency that is licensed under
34 chapter 74.15 RCW that the department finds would provide an
35 appropriate supportive living arrangement. Grant assistance shall not
36 be provided under this chapter to the teen parent and his or her child
37 or children if the applicant does not reside in the most appropriate
38 living situation, as determined by the department.

1 (2) A pregnant minor residing in the most appropriate living
2 situation, as provided under subsection (1) of this section, is
3 presumed to be unable to manage adequately the funds paid to the minor
4 or on behalf of the dependent child or children and, unless the minor
5 provides sufficient evidence to rebut the presumption, shall be subject
6 to the protective payee requirements provided for under RCW 74.12.250
7 and 74.08.280.

8 (3) The department shall consider any statements or opinions by
9 either parent of the unmarried minor parent or pregnant minor applicant
10 as to an appropriate living situation for the minor, whether in the
11 parental home or other situation. If the parents or a parent of the
12 minor request, they or he or she shall be entitled to a hearing in
13 juvenile court regarding designation of the parental home or other
14 relative placement as the most appropriate living situation for the
15 pregnant or parenting minor.

16 The department shall provide the parents or parent with the
17 opportunity to make a showing that the parental home, or home of the
18 other relative placement, is the most appropriate living situation. It
19 shall be presumed in any administrative or judicial proceeding
20 conducted under this subsection that the parental home or other
21 relative placement requested by the parents or parent is the most
22 appropriate living situation. This presumption is rebuttable.

23 (4) In cases in which the minor is unmarried and unemployed, the
24 department shall, as part of the determination of the appropriate
25 living situation, provide information about adoption including referral
26 to community-based organizations providing counseling.

27 (5) For the purposes of this section, "most appropriate living
28 situation" shall not include a living situation including an adult male
29 who fathered the qualifying child and is found to meet the elements of
30 rape of a child as set forth in RCW 9A.44.079.

31 **Sec. 4.** RCW 74.08A.380 and 1997 c 58 s 503 are each amended to
32 read as follows:

33 All applicants under the age of eighteen years who are approved for
34 assistance and, within one hundred eighty days after the date of
35 federal certification of the Washington temporary assistance for needy
36 families program, all unmarried minor parents or pregnant minor
37 applicants shall, as a condition of receiving benefits, actively
38 progress toward the completion of a high school diploma or a GED.

1 Unmarried minor teen parents who do not cooperate with this requirement
2 shall, during the period of noncooperation, be ineligible for grant
3 assistance and their children shall be ineligible for child-only grant
4 assistance.

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