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HOUSE BILL 1465

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Tokuda, D. Sommers and Kagi

Read first time 01/26/1999. Referred to Committee on Children & Family Services.

1 AN ACT Relating to the WorkFirst program; amending RCW 74.08A.010,  
2 74.08A.260, and 74.08A.270; adding new sections to chapter 74.08A RCW;  
3 and creating a new section.

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

5 **Sec. 1.** RCW 74.08A.010 and 1997 c 58 s 103 are each amended to  
6 read as follows:

7 (1) A family that includes an adult who has received temporary  
8 assistance for needy families for sixty months after July 27, 1997,  
9 shall be ineligible for further temporary assistance for needy families  
10 assistance.

11 (2) For the purposes of applying the rules of this section, the  
12 department shall count any month in which an adult family member  
13 received a temporary assistance for needy families cash assistance  
14 grant unless the assistance was provided when the family member was a  
15 minor child and not the head of the household or married to the head of  
16 the household or the adult met the good cause criteria for exemption  
17 from work requirements under section 2 of this act.

18 (3) The department shall refer recipients who require specialized  
19 assistance to appropriate department programs, crime victims' programs

1 through the department of community, trade, and economic development,  
2 or the crime victims' compensation program of the department of labor  
3 and industries.

4 (4) The department may exempt a recipient and the recipient's  
5 family from the application of subsection (1) of this section by reason  
6 of hardship or if the recipient meets the family violence options of  
7 section 402(A)(7) of Title IVA of the federal social security act as  
8 amended by P.L. 104-193. The number of recipients and their families  
9 exempted from subsection (1) of this section for a fiscal year shall  
10 not exceed twenty percent of the average monthly number of recipients  
11 and their families to which assistance is provided under the temporary  
12 assistance for needy families program.

13 (5) The department shall not exempt a recipient and his or her  
14 family from the application of subsection (1) of this section until  
15 after the recipient has received fifty-two months of assistance under  
16 this chapter.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.08A RCW  
18 to read as follows:

19 Each recipient approved to receive temporary assistance for needy  
20 families shall be subject to an employability screening after  
21 determination of program eligibility and before referral to job search.  
22 If the employability screening determines the recipient meets the  
23 criteria specified in RCW 74.08A.270 for a good cause exemption to work  
24 requirements, the department shall defer the job search requirement  
25 under RCW 74.08A.285 and work requirement under RCW 74.08A.260.

26 **Sec. 3.** RCW 74.08A.260 and 1997 c 58 s 313 are each amended to  
27 read as follows:

28 Recipients who have not obtained a deferral under section 2 of this  
29 act, or paid, unsubsidized employment by the end of the job search  
30 component ((authorized in section 312 of this act)) shall be referred  
31 to a work activity.

32 (1) Each recipient shall be assessed immediately upon completion of  
33 the job search component. Assessments shall be based upon factors that  
34 are critical to obtaining employment, including but not limited to  
35 education, employment strengths, and employment history. Assessments  
36 may be performed by the department or by a contracted entity. The  
37 assessment shall be based on a uniform, consistent, transferable format

1 that will be accepted by all agencies and organizations serving the  
2 recipient. Based on the assessment, an individual responsibility plan  
3 shall be prepared that: (a) Sets forth an employment goal and a plan  
4 for moving the recipient immediately into employment; (b) contains the  
5 obligation of the recipient to become and remain employed; (c) moves  
6 the recipient into whatever employment the recipient is capable of  
7 handling as quickly as possible; and (d) describes the services  
8 available to the recipient to enable the recipient to obtain and keep  
9 employment.

10 (2) Recipients who are not engaged in work and work activities, and  
11 do not qualify for a good cause exemption under RCW 74.08A.270, shall  
12 engage in self-directed service as provided in RCW 74.08A.330.

13 (3) If a recipient refuses to engage in work and work activities  
14 required by the department, the family's grant shall be reduced by the  
15 recipient's share, and may, if the department determines it  
16 appropriate, be terminated.

17 (4) The department may waive the penalties required under  
18 subsection (3) of this section, subject to a finding that the recipient  
19 refused to engage in work for good cause provided in RCW 74.08A.270.

20 (5) In implementing this section, the department shall assign the  
21 highest priority to the most employable clients, including adults in  
22 two-parent families and parents in single-parent families that include  
23 older preschool or school-age children to be engaged in work  
24 activities.

25 (6) In consultation with the recipient, the department or  
26 contractor shall place the recipient into a work activity that is  
27 available in the local area where the recipient resides.

28 **Sec. 4.** RCW 74.08A.270 and 1997 c 58 s 314 are each amended to  
29 read as follows:

30 Good cause reasons for failure to participate in WorkFirst program  
31 components include: (1) Situations where the recipient is a parent or  
32 other relative personally providing care for a child under the age of  
33 six years, and formal or informal child care, or day care for an  
34 incapacitated individual living in the same home as a dependent child,  
35 is necessary for an individual to participate or continue participation  
36 in the program or accept employment, and such care is not available,  
37 and the department fails to provide such care; or (2) (~~until June 30,~~  
38 ~~1999,~~) if the recipient is a parent with a child under the age of one

1 year. A parent may only receive this exemption for a total of twelve  
2 months, which may be consecutive or nonconsecutive; or (3) (~~after June~~  
3 ~~30, 1999,~~) if the recipient is a (~~parent with a child under three~~  
4 ~~months of age~~) victim of domestic violence and qualifies for a waiver  
5 under the family violence option and not otherwise exempted under RCW  
6 74.08A.010(4); or (4) if the recipient is meeting the work requirements  
7 prescribed by federal law and still receiving a grant; or (5) if the  
8 recipient is the caretaker or parent of an incapacitated child; or (6)  
9 if the recipient is incapacitated; or (7) if the recipient is fifty-  
10 five years of age or older and is the grandparent or nonparent relative  
11 of the dependent child.

12 NEW SECTION. Sec. 5. A new section is added to chapter 74.08A RCW  
13 to read as follows:

14 The department is directed to structure the use of federal and  
15 state funds in a manner that implements provisions of chapter . . . ,  
16 Laws of 1999 (this act) and complies with temporary assistance for  
17 needy families federal requirements.

18 NEW SECTION. Sec. 6. A new section is added to chapter 74.08A RCW  
19 to read as follows:

20 The department shall adopt rules providing for the review of  
21 recipients granted deferrals under section 2 of this act.

22 NEW SECTION. Sec. 7. If any part of this act is found to be in  
23 conflict with federal requirements that are a prescribed condition to  
24 the allocation of federal funds to the state, the conflicting part of  
25 this act is inoperative solely to the extent of the conflict and with  
26 respect to the agencies directly affected, and this finding does not  
27 affect the operation of the remainder of this act in its application to  
28 the agencies concerned. Rules adopted under this act must meet federal  
29 requirements that are a necessary condition to the receipt of federal  
30 funds by the state.

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