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**SUBSTITUTE SENATE BILL 6141**

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**State of Washington**

**56th Legislature**

**2000 Regular Session**

**By** Senate Committee on Labor & Workforce Development (originally sponsored by Senators Fairley, Fraser, Costa, Kline and Kohl-Welles)

Read first time 02/01/2000.

1 AN ACT Relating to reporting of domestic violence against  
2 applicants and recipients of temporary assistance for needy families;  
3 adding new sections to chapter 74.08A RCW; 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 the personal  
6 responsibility and work opportunity reconciliation act of 1996, known  
7 as the federal welfare reform law, placed a major emphasis on the  
8 concept of personal responsibility for welfare recipients. The  
9 legislature finds that the state, as a partner in welfare reform, also  
10 has a major responsibility to help those in need who are applicants or  
11 recipients of temporary assistance for needy families. The state's  
12 responsibility includes the timely assessment and identification of  
13 applicants or recipients who are presently the victims of domestic  
14 violence, in order to refer them for appropriate help or treatment, and  
15 in order to promote their safety and well-being by avoiding  
16 inappropriate work activity assignments that may place the victims at  
17 increased risk.

18 The legislature intends that the caseworkers, social workers, case  
19 managers, those performing client assessments, and job service

1 specialists who come into direct contact with applicants or recipients  
2 of temporary assistance for needy families will be trained to identify  
3 and assist domestic violence victims.

4 NEW SECTION. **Sec. 2.** (1) The department shall develop screening  
5 procedures for identifying victims of domestic violence and monitor  
6 compliance with such procedures by its employees, contractors, and  
7 subcontractors. Such procedures shall include universal notification  
8 to all applicants and recipients of temporary assistance for needy  
9 families and state family assistance of the following:

10 (a) Availability of supportive services;

11 (b) Options for exemption or deferral of program requirements that  
12 make it more difficult for applicants or recipients to escape from  
13 domestic violence or unfairly penalize them for being victims of  
14 domestic violence;

15 (c) Procedures for obtaining supportive services or applying for  
16 exemptions or deferrals; and

17 (d) Procedures for voluntary and confidential disclosure of  
18 eligibility by the client for referrals to supportive services and  
19 deferral of program requirements.

20 (2) Notification shall be given in writing and orally at the time  
21 of application and recertification, at the beginning of any job  
22 training or work placement assistance program, and at any other time  
23 when a determination is being made concerning the applicant's or the  
24 recipient's progress, eligibility, or status under the temporary  
25 assistance for needy families program. Notification procedures allow  
26 applicants and recipients to voluntarily and confidentially disclose  
27 their eligibility for services or deferral at any time. At no time may  
28 an applicant or recipient's decision not to disclose eligibility for  
29 services, exemptions, or deferrals preclude disclosure at a later date,  
30 nor may it preclude future access to services, exemptions, or  
31 deferrals.

32 NEW SECTION. **Sec. 3.** The department shall monitor compliance with  
33 departmental procedures contained in section 2 of this act by  
34 department employees, contractors, and subcontractors, to ensure that  
35 any information regarding any applicant or recipient of temporary  
36 assistance for needy families who claims to be a past or present victim  
37 of domestic violence or an individual at risk of future domestic

1 violence, whether provided by the victim or by a third party, shall  
2 remain confidential. This information shall be used by the department  
3 solely for the purpose of referral to services under section 4 of this  
4 act or determining eligibility for deferrals of program requirements.  
5 Information regarding victims of domestic violence or anyone who claims  
6 to be a victim of domestic violence shall not be released to any  
7 outside party or parties or other governmental agencies unless the  
8 information is required to be disclosed by law or unless authorized in  
9 writing by the applicant or recipient. This includes, but is not  
10 limited to information on the applicant or recipient's current address,  
11 workplace, or work placement, that the individual has been identified  
12 as the victim of domestic violence, or any details concerning the  
13 domestic violence.

14 NEW SECTION. **Sec. 4.** The department shall develop and monitor  
15 compliance with procedures for the department and its employees,  
16 contractors, and subcontractors for referring victims of domestic  
17 violence to appropriate services. Whenever an applicant or recipient  
18 of temporary assistance for needy families or state family assistance  
19 self-identifies, or is otherwise identified, as a past or present  
20 victim of domestic violence or a person at risk of future domestic  
21 violence, the department shall refer that individual to an employee  
22 trained in domestic violence issues who will provide information about  
23 how to contact existing local services. Services may include but are  
24 not limited to: Shelters for battered individuals, medical services,  
25 domestic abuse hotlines, emergency aid for individuals fleeing domestic  
26 violence, legal counseling and advocacy, law enforcement, mental health  
27 care, counseling, support groups, and financial assistance for victims  
28 of crime.

29 NEW SECTION. **Sec. 5.** Nothing in sections 2 through 4 of this act  
30 may be interpreted as requiring any action by a domestic violence  
31 victim such as seeking an order of protection, attending counseling, or  
32 other actions not required of other applicants or recipients. Nothing  
33 in sections 2 through 4 of this act may be interpreted as allowing  
34 denial, termination, or reduction of benefits to domestic violence  
35 victims because they do not take actions not required of other  
36 applicants or recipients.

1        NEW SECTION.   **Sec. 6.**   The department of social and health services  
2   and the employment security department shall provide or contract to  
3   provide specialized training in culturally competent identification and  
4   appropriate assistance of domestic violence victims.   Training shall  
5   include, at a minimum, the need for safety and confidentiality, the  
6   identification of patterns and cycles of abuse, and awareness of local  
7   and regional resources for legal assistance, counseling, and safe house  
8   organizations.

9        NEW SECTION.   **Sec. 7.**   Sections 2 through 6 of this act are each  
10   added to chapter 74.08A RCW.

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