

# HOUSE BILL REPORT

## HB 1190

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### As Reported by House Committee On:

Children & Family Services

Appropriations

**Title:** An act relating to supporting the long-term success of families with children by removing barriers to Temporary Assistance for Needy Families and the WorkFirst programs.

**Brief Description:** Supporting the long-term success of families with children by removing barriers to Temporary Assistance for Needy Families and the WorkFirst programs.

**Sponsors:** Representatives Pettigrew, Hinkle, Santos, Nixon, Kagi, Roberts, Darneille, Walsh, Haler, Appleton, Chase, Cody, Kenney, Clibborn, Ormsby, McIntire and Hasegawa.

### Brief History:

#### Committee Activity:

Children & Family Services: 1/31/05, 2/9/05 [DPS];

Appropriations: 2/21/05, 2/28/05 [DPS(CFS)].

#### Brief Summary of Substitute Bill

- Exempts individuals from eligibility restrictions under the WorkFirst program on the basis of a drug-related felony conviction or lack of a drug assessment or treatment.

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## HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Kagi, Chair; Roberts, Vice Chair; Hinkle, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Darneille, Dickerson, Dunn, Haler and Pettigrew.

**Staff:** Cynthia Forland (786-7152).

### Background:

In 1996, the federal government enacted welfare reform, shifting the emphasis of the federal program to a "work first" approach. In 1997, Washington enacted its version of welfare reform, establishing the WorkFirst program. The WorkFirst program emphasizes the importance of gaining employment and staying employed. WorkFirst participants are assessed for employment barriers which may include mental health, medical, or substance abuse issues that must be addressed before an applicant can become fully employable.

Under the WorkFirst program, public assistance may be awarded to individuals who are in need and otherwise meet the eligibility requirements of the program. Otherwise qualified individuals may be required to participate in a drug or alcohol treatment program in order to receive benefits if they have been assessed as drug- or alcohol-dependent and in need of treatment to become employable.

In addition, in order to be eligible for assistance, an individual with a drug-related felony conviction, after August 21, 1996, must:

- have been assessed as chemically dependent and be participating in, or have completed, a coordinated rehabilitation plan consisting of chemical dependency treatment and vocational services; and
- have not been convicted of a drug-related felony in the three years prior to the most current conviction.

Federal law permits states to opt out of the restrictions on public assistance for individuals with a drug-related felony conviction.

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**Summary of Substitute Bill:**

As of September 1, 2005, individuals are no longer ineligible for WorkFirst benefits on the basis of a drug-related felony conviction or lack of a drug assessment or treatment.

**Substitute Bill Compared to Original Bill:**

Provides that the bill takes effect September 1, 2005.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect September 1, 2005.

**Testimony For:** This bill is in the same line as legislation enacted last year opting out of federal restrictions on eligibility for food stamp benefits. No other crime categorically denies anyone access to WorkFirst benefits if they are otherwise eligible. We need to support people who want to put their lives back together, and this is one way to do that. This disqualification disproportionately hurts children, whose parents may not be able to adequately provide for them. Most importantly, it is denying access to the WorkFirst program. It is not in the state's best interest to deny individuals the opportunity to participate in the WorkFirst program. Fourteen other states have taken this option. The current law has a catch-22. If someone is assessed as chemically dependent and can access treatment, they can become eligible. But if someone is not assessed as chemically dependent, then they cannot get treatment and cannot become eligible. Many people convicted of drug-related crimes are not chemically dependent. The present policy tells parents that they are not eligible for any WorkFirst services, which seems self-defeating. This policy really hurts the children, the family. This is a

matter of social justice. There is no other category of people excluded from these benefits. This would help individuals and families not become involved with substance abuse and assist those who already are to transition out of that as soon as possible. This would prevent individuals and families from becoming homeless and help those who already are get back on their feet.

**Testimony Against:** None.

**Persons Testifying:** Representative Pettigrew, prime sponsor; Bob Cooper, American Civil Liberties Union; Tony Lee, Fremont Public Association; Seth Dawson, Community Action Agencies, Washington Association for Substance Abuse and Violence Prevention and Washington State Coalition for the Homeless; and Suzy Nickel, American Family Rights Association.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on Children & Family Services be substituted therefor and the substitute bill do pass. Signed by 28 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Bailey, Buri, Clements, Cody, Conway, Darneille, Dunshee, Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Miloscia, Pearson, Priest, Schual-Berke, Talcott and Walsh.

**Staff:** Amy Skei (786-7140).

### **Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Children & Family Services:**

No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect September 1, 2005.

**Testimony For:** Fourteen states have opted out of this federal eligibility restriction. The restriction applies only to people with drug convictions. The state should facilitate the road to work and not continue to punish these individuals for mistakes of the past. This change will ultimately save money in areas such as foster care, child welfare, medical expenses, and criminal justice. This would help people who want to work towards becoming taxpaying citizens.

**Testimony Against:** None.

**Persons Testifying:** Bob Cooper, American Civil Liberties Union of Washington.

**Persons Signed In To Testify But Not Testifying:** None.