

2SHB 2782 - H AMD 1705

By Representative Dickerson

ADOPTED 03/19/2010

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** INTENT. (1) The legislature finds that:

4 (a) Low-income families and individuals often face significant
5 barriers to receiving the services and benefits that they are qualified
6 to receive. These services are essential to meeting individuals' basic
7 needs, and provide critical support to low-income individuals who are
8 working or who have disabilities that prevent them from working;

9 (b) Each year millions of federal dollars go unclaimed due to
10 underutilization of benefits such as tax credits, health care coverage,
11 and food support;

12 (c) State agencies have been engaged in an effort to implement an
13 online benefit portal to simplify and streamline access to state,
14 federal, and local benefits that include a broad array of public
15 benefits;

16 (d) Access to education and training gives low-income individuals
17 and families the opportunity to acquire the skills they need to become
18 successfully employed and attain self-sufficiency; and

19 (e) Agencies have been engaged in efforts to increase access to
20 training and education for recipients of federal food assistance.

21 (2) The legislature therefore intends to strengthen existing
22 efforts by providing enhanced structure and direction to ensure that a
23 strong partnership among colleges, state agencies, community partners,
24 and philanthropy be established. The legislature also intends to
25 provide an efficient, effective, integrated approach to the delivery of
26 basic support services and education and training programs. The
27 integrated approach should include the creation of a one-stop-shop,
28 online benefits portal where individuals can apply for a broad array of
29 services, including public benefits and education and training support,
30 and the expansion of the food stamp employment and training program.

1 (3) The legislature further finds that:

2 (a) The general assistance program can be reformed to better
3 support the ability of persons who are unable to work due to physical
4 or mental health impairments to either return to work, or transition to
5 federal supplemental security income benefits; and

6 (b) Persons who are homeless and suffering from mental illness or
7 chemical dependency are particularly vulnerable, because homelessness
8 is a substantial barrier to successful participation in, and completion
9 of, needed treatment services.

10 (4) Through the reforms included in this act, the legislature
11 intends to end the general assistance program and establish the
12 disability lifeline program, and to implement multiple strategies
13 designed to improve the employment and basic support outcomes of
14 persons receiving disability lifeline benefits. The legislature
15 further intends to focus services on persons who are homeless and have
16 a mental illness or chemical dependency by providing housing vouchers
17 as an alternative to a cash grant so that these persons can be in
18 stable housing and thus have a greater opportunity to succeed in
19 treatment.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.04 RCW
21 to read as follows:

22 OPPORTUNITY PORTAL. (1) An online opportunity portal shall be
23 established to provide the public with more effective access to
24 available state, federal, and local services. The secretary of the
25 department of social and health services shall act as the executive
26 branch sponsor of the portal planning process. Under the leadership of
27 the secretary, the department shall:

28 (a) Identify and select an appropriate solution and acquisition
29 approach to integrate technology systems to create a user-friendly
30 electronic tool for Washington residents to apply for benefits;

31 (b) Facilitate the adaptation of state information technology
32 systems to allow applications generated through the opportunity portal
33 and other compatible electronic application systems to seamlessly link
34 to appropriate state information systems;

35 (c) Ensure that the portal provides access to a broad array of
36 state, federal, and local services, including but not limited to:
37 Health care services, higher education financial aid, tax credits,

1 civic engagement, nutrition assistance, energy assistance, family
2 support, and disability lifeline benefits as defined in sections 4
3 through 13 of this act;

4 (d) Design an implementation strategy for the portal that maximizes
5 collaboration with community-based organizations to facilitate its use
6 by low-income individuals and families;

7 (e) Provide access to the portal at a wide array of locations
8 including but not limited to: Community or technical colleges,
9 community college campuses where community service offices are
10 colocated, community-based organizations, libraries, churches, food
11 banks, state agencies, early childhood education sites, and labor
12 unions;

13 (f) Ensure project resources maximize available federal and private
14 funds for development and initial operation of the opportunity portal.
15 Any incidental costs to state agencies shall be derived from existing
16 resources. This subsection does not obligate or preclude the
17 appropriation of future state funding for the opportunity portal;

18 (g) Determine the solution and acquisition approach by June 1,
19 2010.

20 (2) By December 1, 2011, and annually thereafter, the department of
21 social and health services shall report to the legislature and
22 governor. The report shall include data and information on
23 implementation and outcomes of the opportunity portal, including any
24 increases in the use of public benefits and increases in federal
25 funding.

26 (3) The department shall develop a plan for implementing paperless
27 application processes for the services included in the opportunity
28 portal for which the electronic exchange of application information is
29 possible. The plan should include a goal of achieving, to the extent
30 possible, the transition of these services to paperless application
31 processes by July 1, 2012. The plan must comply with federal statutes
32 and regulations and must allow applicants to submit applications by
33 alternative means to ensure that access to benefits will not be
34 restricted.

35 (4) To the extent that the department enters into a contractual
36 relationship to accomplish the purposes of this section, such contract
37 or contracts shall be performance-based.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.04 RCW
2 to read as follows:

3 BASIC FOOD EMPLOYMENT AND TRAINING PROGRAM. (1) The department,
4 the employment security department, and the state board for community
5 and technical colleges shall work in partnership to expand the food
6 stamp employment and training program. Subject to federal approval,
7 the program shall be expanded to three additional community colleges or
8 other community-based locations in 2010 and shall expand capacity at
9 participating colleges. To the greatest extent possible, expansion
10 shall be geographically diverse. The agencies shall:

11 (a) Identify and seek out partnerships with community-based
12 organizations that can provide support services and case management to
13 participants through performance-based contracts in the food stamp
14 employment and training program, and do not replace the positions or
15 work of department employees;

16 (b) Identify eligible nonfederal matching funds to draw down the
17 federal match for food stamp employment and training services.
18 Matching funds may include: Local funds, foundation grants, employer-
19 paid costs, and the state allocation to community and technical
20 colleges.

21 (2) Employment and training funds may be allocated for:
22 Educational programs to develop skills for employability, vocational
23 education, English as a second language courses, adult basic education,
24 GED courses, remedial programs, job readiness training, case
25 management, intake, assessment, evaluation, and barrier removal and
26 support services such as tuition, books, child care, transportation,
27 housing, and counseling services.

28 (3) The department shall annually track and report outcomes
29 including those achieved through performance-based contracts as
30 follows: Federal funding received, the number of participants served,
31 achievement points, the number of participants who enter employment
32 during or after participation in the food stamp employment and training
33 program, and the average wage of jobs attained. The report shall be
34 submitted to the governor and appropriate committees of the legislature
35 on November 1st of each year, beginning in 2010.

36 (4) For purposes of this section, "food stamp employment and
37 training program" refers to a program established and administered

1 through the employment security department and the department of social
2 and health services.

3 **Sec. 4.** RCW 74.04.005 and 2003 1st sp.s. c 10 s 1 are each amended
4 to read as follows:

5 For the purposes of this title, unless the context indicates
6 otherwise, the following definitions shall apply:

7 (1) "Public assistance" or "assistance"--Public aid to persons in
8 need thereof for any cause, including services, medical care,
9 assistance grants, disbursing orders, work relief, (~~general~~
10 ~~assistance~~) disability lifeline benefits and federal aid assistance.

11 (2) "Department"--The department of social and health services.

12 (3) "County or local office"--The administrative office for one or
13 more counties or designated service areas.

14 (4) "Director" or "secretary" means the secretary of social and
15 health services.

16 (5) "Disability lifeline program" means a program that provides aid
17 and support in accordance with the conditions set out in this
18 subsection.

19 (a) Aid and assistance shall be provided to persons who are not
20 eligible to receive federal aid assistance, other than basic food
21 benefits transferred electronically and medical assistance and meet one
22 of the following conditions:

23 (i) Are pregnant and in need, based upon the current income and
24 resource requirements of the federal temporary assistance for needy
25 families program; or

26 (ii) Are incapacitated from gainful employment by reason of bodily
27 or mental infirmity that will likely continue for a minimum of ninety
28 days as determined by the department; and

29 (A) Are citizens or aliens lawfully admitted for permanent
30 residence or otherwise residing in the United States under color of
31 law;

32 (B) Have furnished the department their social security number. If
33 the social security number cannot be furnished because it has not been
34 issued or is not known, an application for a number shall be made prior
35 to authorization of benefits, and the social security number shall be
36 provided to the department upon receipt;

1 (C) Have not refused or failed without good cause to participate in
2 drug or alcohol treatment if an assessment by a certified chemical
3 dependency counselor indicates a need for such treatment. Good cause
4 must be found to exist when a person's physical or mental condition, as
5 determined by the department, prevents the person from participating in
6 drug or alcohol dependency treatment, when needed outpatient drug or
7 alcohol treatment is not available to the person in the county of his
8 or her residence or when needed inpatient treatment is not available in
9 a location that is reasonably accessible for the person; and

10 (D) Have not refused or failed without good cause to participate in
11 vocational rehabilitation services, if an assessment conducted under
12 section 5 of this act indicates that the person might benefit from such
13 services. Good cause must be found to exist when a person's physical
14 or mental condition, as determined by the department, prevents the
15 person from participating in vocational rehabilitation services, or
16 when vocational rehabilitation services are not available to the person
17 in the county of his or her residence.

18 (b)(i) Persons who initially apply and are found eligible for
19 disability lifeline benefits based upon incapacity from gainful
20 employment under (a) of this subsection on or after September 2, 2010,
21 who are homeless and have been assessed as needing chemical dependency
22 or mental health treatment or both, must agree, as a condition of
23 eligibility for the disability lifeline program, to accept a housing
24 voucher in lieu of a cash grant if a voucher is available. The
25 department shall establish the dollar value of the housing voucher.
26 The dollar value of the housing voucher may differ from the value of
27 the cash grant. Persons receiving a housing voucher under this
28 subsection also shall receive a cash stipend of fifty dollars per
29 month.

30 (ii) If the department of commerce has determined under section 8
31 of this act that sufficient housing is not available, persons described
32 in this subsection who apply for disability lifeline benefits during
33 the time period that housing is not available shall receive a cash
34 grant in lieu of a cash stipend and housing voucher.

35 (iii) Persons who refuse to accept a housing voucher under this
36 subsection but otherwise meet the eligibility requirements of (a) of
37 this subsection are eligible for medical care services benefits under
38 RCW 74.09.035, subject to the time limits in (h) of this subsection.

1 (c) The following persons are not eligible for the disability
2 lifeline program:

3 (i) Persons who are unemployable due primarily to alcohol or drug
4 addiction. These persons shall be referred to appropriate assessment,
5 treatment, shelter, or supplemental security income referral services
6 as authorized under chapter 74.50 RCW. Referrals shall be made at the
7 time of application or at the time of eligibility review. This
8 subsection shall not be construed to prohibit the department from
9 granting disability lifeline benefits to alcoholics and drug addicts
10 who are incapacitated due to other physical or mental conditions that
11 meet the eligibility criteria for the disability lifeline program;

12 (ii) Persons who refuse or fail to cooperate in obtaining federal
13 aid assistance, without good cause.

14 (d) Disability lifeline benefits shall be provided only to persons
15 who are not members of assistance units receiving federal aid
16 assistance, except as provided in (a) of this subsection, and who will
17 accept available services that can reasonably be expected to enable the
18 person to work or reduce the need for assistance unless there is good
19 cause to refuse. Failure to accept such services shall result in
20 termination until the person agrees to cooperate in accepting such
21 services and subject to the following maximum periods of ineligibility
22 after reapplication:

23 (i) First failure: One week;

24 (ii) Second failure within six months: One month;

25 (iii) Third and subsequent failure within one year: Two months.

26 (e) Persons who are likely eligible for federal supplemental
27 security income benefits shall be moved into the disability lifeline
28 expedited component of the disability lifeline program. Persons placed
29 in the expedited component of the program may, if otherwise eligible,
30 receive disability lifeline benefits pending application for federal
31 supplemental security income benefits. The monetary value of any
32 disability lifeline benefit that is subsequently duplicated by the
33 person's receipt of supplemental security income for the same period
34 shall be considered a debt due the state and shall by operation of law
35 be subject to recovery through all available legal remedies.

36 (f) For purposes of determining whether a person is incapacitated
37 from gainful employment under (a) of this subsection:

1 (i) The department shall adopt by rule medical criteria for
2 disability lifeline incapacity determinations to ensure that
3 eligibility decisions are consistent with statutory requirements and
4 are based on clear, objective medical information. The criteria should
5 recognize that the standard for incapacity in this subsection, as
6 evidenced by the ninety-day duration standard, is not intended to be as
7 stringent as federal supplemental security income disability standards.
8 In no case shall the criteria for disability lifeline incapacity
9 determinations be more restrictive than the disability determination
10 standards for the federal supplemental security income program; and

11 (ii) The process implementing the medical criteria shall involve
12 consideration of opinions of the treating or consulting physicians or
13 health care professionals regarding incapacity, and any eligibility
14 decision which rejects uncontroverted medical opinion must set forth
15 clear and convincing reasons for doing so.

16 (g) Persons receiving disability lifeline benefits based upon a
17 finding of incapacity from gainful employment who remain otherwise
18 eligible shall have their benefits discontinued unless the recipient
19 demonstrates no material improvement in their medical or mental health
20 condition. The department may discontinue benefits when there was
21 specific error in the prior determination that found the person
22 eligible by reason of incapacitation.

23 (h)(i) Beginning September 1, 2010, no person who is currently
24 receiving or becomes eligible for disability lifeline program benefits
25 shall be eligible to receive benefits under the program for more than
26 twenty-four months in a sixty-month period. For purposes of this
27 subsection, months of receipt of general assistance-unemployable
28 benefits count toward the twenty-four month limit. Months during which
29 a person received benefits under the expedited component of the
30 disability lifeline or general assistance program or under the aged,
31 blind, or disabled component of the disability lifeline or general
32 assistance program shall not be included when determining whether a
33 person has been receiving benefits for more than twenty-four months.
34 On or before July 1, 2010, the department must review the cases of all
35 persons who have received disability lifeline benefits or general
36 assistance unemployable benefits for at least twelve months as of that
37 date. The review should determine whether the person meets the federal
38 supplemental security income disability standard and, if the person

1 does not meet that standard, whether the receipt of additional services
2 could lead to employability. If a need for additional services is
3 identified, the department shall provide case management services, such
4 as assistance with arranging transportation or locating stable housing,
5 that will facilitate the person's access to needed services. A person
6 may not be determined ineligible due to exceeding the time limit unless
7 he or she has received a case review under this subsection finding that
8 the person does not meet the federal supplemental security income
9 disability standard.

10 (ii) The time limit in (h)(i) of this subsection may be modified to
11 eighteen months in a thirty-six month period if the following
12 conditions are met, as determined by the Washington state institute for
13 public policy:

14 (A) The department is consistently reviewing the cases of all
15 persons who have received disability lifeline benefits or general
16 assistance unemployable benefits for twelve months, as described in
17 (h)(i) of this subsection in a timely manner.

18 (B) The performance goals in section 7(2) of this act have been met
19 consistently on a statewide basis by the department and its contracted
20 entities for a continuous period of twelve months. Any modification of
21 the time limit under this subsection must be accomplished through the
22 adoption of rules under chapter 34.05 RCW.

23 (iii) The time limits established under this subsection expire June
24 30, 2013.

25 (i) No person may be considered an eligible individual for
26 disability lifeline benefits with respect to any month if during that
27 month the person:

28 (i) Is fleeing to avoid prosecution of, or to avoid custody or
29 confinement for conviction of, a felony, or an attempt to commit a
30 felony, under the laws of the state of Washington or the place from
31 which the person flees; or

32 (ii) Is violating a condition of probation, community supervision,
33 or parole imposed under federal or state law for a felony or gross
34 misdemeanor conviction.

35 (6) "Disability lifeline expedited" means a component of the
36 disability lifeline program under which persons receiving disability
37 lifeline benefits have been determined, after examination by an
38 appropriate health care provider, to be likely to be eligible for

1 federal supplemental security income benefits based on medical and
2 behavioral health evidence that meets the disability standards used for
3 the federal supplemental security income program.

4 (7) "Federal aid assistance"--The specific categories of assistance
5 for which provision is made in any federal law existing or hereafter
6 passed by which payments are made from the federal government to the
7 state in aid or in respect to payment by the state for public
8 assistance rendered to any category of needy persons for which
9 provision for federal funds or aid may from time to time be made, or a
10 federally administered needs-based program.

11 ~~((6)(a) "General assistance"--Aid to persons in need who:~~

12 ~~(i) Are not eligible to receive federal aid assistance, other than~~
13 ~~food stamps or food stamp benefits transferred electronically and~~
14 ~~medical assistance; however, an individual who refuses or fails to~~
15 ~~cooperate in obtaining federal aid assistance, without good cause, is~~
16 ~~not eligible for general assistance;~~

17 ~~(ii) Meet one of the following conditions:~~

18 ~~(A) Pregnant: PROVIDED, That need is based on the current income~~
19 ~~and resource requirements of the federal temporary assistance for needy~~
20 ~~families program; or~~

21 ~~(B) Subject to chapter 165, Laws of 1992, incapacitated from~~
22 ~~gainful employment by reason of bodily or mental infirmity that will~~
23 ~~likely continue for a minimum of ninety days as determined by the~~
24 ~~department.~~

25 ~~(C) Persons who are unemployable due to alcohol or drug addiction~~
26 ~~are not eligible for general assistance. Persons receiving general~~
27 ~~assistance on July 26, 1987, or becoming eligible for such assistance~~
28 ~~thereafter, due to an alcohol or drug-related incapacity, shall be~~
29 ~~referred to appropriate assessment, treatment, shelter, or supplemental~~
30 ~~security income referral services as authorized under chapter 74.50~~
31 ~~RCW. Referrals shall be made at the time of application or at the time~~
32 ~~of eligibility review. Alcoholic and drug addicted clients who are~~
33 ~~receiving general assistance on July 26, 1987, may remain on general~~
34 ~~assistance if they otherwise retain their eligibility until they are~~
35 ~~assessed for services under chapter 74.50 RCW. Subsection~~
36 ~~(6)(a)(ii)(B) of this section shall not be construed to prohibit the~~
37 ~~department from granting general assistance benefits to alcoholics and~~

1 ~~drug addicts who are incapacitated due to other physical or mental~~
2 ~~conditions that meet the eligibility criteria for the general~~
3 ~~assistance program;~~

4 ~~(iii) Are citizens or aliens lawfully admitted for permanent~~
5 ~~residence or otherwise residing in the United States under color of~~
6 ~~law; and~~

7 ~~(iv) Have furnished the department their social security account~~
8 ~~number. If the social security account number cannot be furnished~~
9 ~~because it has not been issued or is not known, an application for a~~
10 ~~number shall be made prior to authorization of assistance, and the~~
11 ~~social security number shall be provided to the department upon~~
12 ~~receipt.~~

13 ~~(b) Notwithstanding the provisions of subsection (6)(a)(i), (ii),~~
14 ~~and (c) of this section, general assistance shall be provided to the~~
15 ~~following recipients of federal aid assistance:~~

16 ~~(i) Recipients of supplemental security income whose need, as~~
17 ~~defined in this section, is not met by such supplemental security~~
18 ~~income grant because of separation from a spouse; or~~

19 ~~(ii) To the extent authorized by the legislature in the biennial~~
20 ~~appropriations act, to recipients of temporary assistance for needy~~
21 ~~families whose needs are not being met because of a temporary reduction~~
22 ~~in monthly income below the entitled benefit payment level caused by~~
23 ~~loss or reduction of wages or unemployment compensation benefits or~~
24 ~~some other unforeseen circumstances. The amount of general assistance~~
25 ~~authorized shall not exceed the difference between the entitled benefit~~
26 ~~payment level and the amount of income actually received.~~

27 ~~(c) General assistance shall be provided only to persons who are~~
28 ~~not members of assistance units receiving federal aid assistance,~~
29 ~~except as provided in subsection (6)(a)(ii)(A) and (b) of this section,~~
30 ~~and will accept available services which can reasonably be expected to~~
31 ~~enable the person to work or reduce the need for assistance unless~~
32 ~~there is good cause to refuse. Failure to accept such services shall~~
33 ~~result in termination until the person agrees to cooperate in accepting~~
34 ~~such services and subject to the following maximum periods of~~
35 ~~ineligibility after reapplication:~~

36 ~~(i) First failure: One week;~~

37 ~~(ii) Second failure within six months: One month;~~

38 ~~(iii) Third and subsequent failure within one year: Two months.~~

1 ~~(d) Persons found eligible for general assistance based on~~
2 ~~incapacity from gainful employment may, if otherwise eligible, receive~~
3 ~~general assistance pending application for federal supplemental~~
4 ~~security income benefits. Any general assistance that is subsequently~~
5 ~~duplicated by the person's receipt of supplemental security income for~~
6 ~~the same period shall be considered a debt due the state and shall by~~
7 ~~operation of law be subject to recovery through all available legal~~
8 ~~remedies.~~

9 ~~(e) The department shall adopt by rule medical criteria for general~~
10 ~~assistance eligibility to ensure that eligibility decisions are~~
11 ~~consistent with statutory requirements and are based on clear,~~
12 ~~objective medical information.~~

13 ~~(f) The process implementing the medical criteria shall involve~~
14 ~~consideration of opinions of the treating or consulting physicians or~~
15 ~~health care professionals regarding incapacity, and any eligibility~~
16 ~~decision which rejects uncontroverted medical opinion must set forth~~
17 ~~clear and convincing reasons for doing so.~~

18 ~~(g) Recipients of general assistance based upon a finding of~~
19 ~~incapacity from gainful employment who remain otherwise eligible shall~~
20 ~~have their benefits discontinued unless the recipient demonstrates no~~
21 ~~material improvement in their medical or mental condition. The~~
22 ~~department may discontinue benefits when there was specific error in~~
23 ~~the prior determination that found the recipient eligible by reason of~~
24 ~~incapacitation. Recipients of general assistance based upon pregnancy~~
25 ~~who relinquish their child for adoption, remain otherwise eligible, and~~
26 ~~are not eligible to receive benefits under the federal temporary~~
27 ~~assistance for needy families program shall not have their benefits~~
28 ~~terminated until the end of the month in which the period of six weeks~~
29 ~~following the birth of the recipient's child falls. Recipients of the~~
30 ~~federal temporary assistance for needy families program who lose their~~
31 ~~eligibility solely because of the birth and relinquishment of the~~
32 ~~qualifying child may receive general assistance through the end of the~~
33 ~~month in which the period of six weeks following the birth of the child~~
34 ~~falls.~~

35 ~~(h) No person may be considered an eligible individual for general~~
36 ~~assistance with respect to any month if during that month the person:~~

37 ~~(i) Is fleeing to avoid prosecution of, or to avoid custody or~~

1 ~~confinement for conviction of, a felony, or an attempt to commit a~~
2 ~~felony, under the laws of the state of Washington or the place from~~
3 ~~which the person flees; or~~

4 ~~(ii) Is violating a condition of probation, community supervision,~~
5 ~~or parole imposed under federal or state law for a felony or gross~~
6 ~~misdemeanor conviction.~~

7 ~~(7))~~ (8) "Applicant"--Any person who has made a request, or on
8 behalf of whom a request has been made, to any county or local office
9 for assistance.

10 ~~((8))~~ (9) "Recipient"--Any person receiving assistance and in
11 addition those dependents whose needs are included in the recipient's
12 assistance.

13 ~~((9))~~ (10) "Standards of assistance"--The level of income
14 required by an applicant or recipient to maintain a level of living
15 specified by the department.

16 ~~((10))~~ (11) "Resource"--Any asset, tangible or intangible, owned
17 by or available to the applicant at the time of application, which can
18 be applied toward meeting the applicant's need, either directly or by
19 conversion into money or its equivalent. The department may by rule
20 designate resources that an applicant may retain and not be ineligible
21 for public assistance because of such resources. Exempt resources
22 shall include, but are not limited to:

23 (a) A home that an applicant, recipient, or their dependents is
24 living in, including the surrounding property;

25 (b) Household furnishings and personal effects;

26 (c) A motor vehicle, other than a motor home, used and useful
27 having an equity value not to exceed five thousand dollars;

28 (d) A motor vehicle necessary to transport a ~~((physically~~
29 ~~disabled))~~ household member with a physical disability. This exclusion
30 is limited to one vehicle per ~~((physically disabled))~~ person with a
31 physical disability;

32 (e) All other resources, including any excess of values exempted,
33 not to exceed one thousand dollars or other limit as set by the
34 department, to be consistent with limitations on resources and
35 exemptions necessary for federal aid assistance. The department shall
36 also allow recipients of temporary assistance for needy families to
37 exempt savings accounts with combined balances of up to an additional
38 three thousand dollars;

1 (f) Applicants for or recipients of (~~general assistance~~)
2 disability lifeline benefits shall have their eligibility based on
3 resource limitations consistent with the temporary assistance for needy
4 families program rules adopted by the department; and

5 (g) If an applicant for or recipient of public assistance possesses
6 property and belongings in excess of the ceiling value, such value
7 shall be used in determining the need of the applicant or recipient,
8 except that: (i) The department may exempt resources or income when
9 the income and resources are determined necessary to the applicant's or
10 recipient's restoration to independence, to decrease the need for
11 public assistance, or to aid in rehabilitating the applicant or
12 recipient or a dependent of the applicant or recipient; and (ii) the
13 department may provide grant assistance for a period not to exceed nine
14 months from the date the agreement is signed pursuant to this section
15 to persons who are otherwise ineligible because of excess real property
16 owned by such persons when they are making a good faith effort to
17 dispose of that property: PROVIDED, That:

18 (A) The applicant or recipient signs an agreement to repay the
19 lesser of the amount of aid received or the net proceeds of such sale;

20 (B) If the owner of the excess property ceases to make good faith
21 efforts to sell the property, the entire amount of assistance may
22 become an overpayment and a debt due the state and may be recovered
23 pursuant to RCW 43.20B.630;

24 (C) Applicants and recipients are advised of their right to a fair
25 hearing and afforded the opportunity to challenge a decision that good
26 faith efforts to sell have ceased, prior to assessment of an
27 overpayment under this section; and

28 (D) At the time assistance is authorized, the department files a
29 lien without a sum certain on the specific property.

30 (~~(11)~~) (12) "Income"--(a) All appreciable gains in real or
31 personal property (cash or kind) or other assets, which are received by
32 or become available for use and enjoyment by an applicant or recipient
33 during the month of application or after applying for or receiving
34 public assistance. The department may by rule and regulation exempt
35 income received by an applicant for or recipient of public assistance
36 which can be used by him or her to decrease his or her need for public
37 assistance or to aid in rehabilitating him or her or his or her
38 dependents, but such exemption shall not, unless otherwise provided in

1 this title, exceed the exemptions of resources granted under this
2 chapter to an applicant for public assistance. In addition, for cash
3 assistance the department may disregard income pursuant to RCW
4 74.08A.230 and 74.12.350.

5 (b) If, under applicable federal requirements, the state has the
6 option of considering property in the form of lump sum compensatory
7 awards or related settlements received by an applicant or recipient as
8 income or as a resource, the department shall consider such property to
9 be a resource.

10 ((+12+)) (13) "Need"--The difference between the applicant's or
11 recipient's standards of assistance for himself or herself and the
12 dependent members of his or her family, as measured by the standards of
13 the department, and value of all nonexempt resources and nonexempt
14 income received by or available to the applicant or recipient and the
15 dependent members of his or her family.

16 ((+13+)) (14) For purposes of determining eligibility for public
17 assistance and participation levels in the cost of medical care, the
18 department shall exempt restitution payments made to people of Japanese
19 and Aleut ancestry pursuant to the Civil Liberties Act of 1988 and the
20 Aleutian and Pribilof Island Restitution Act passed by congress, P.L.
21 100-383, including all income and resources derived therefrom.

22 ((+14+)) (15) In the construction of words and phrases used in this
23 title, the singular number shall include the plural, the masculine
24 gender shall include both the feminine and neuter genders and the
25 present tense shall include the past and future tenses, unless the
26 context thereof shall clearly indicate to the contrary.

27 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.04 RCW
28 to read as follows:

29 REFERRAL TO THE DIVISION OF VOCATIONAL REHABILITATION. (1) The
30 economic services administration shall work jointly with the division
31 of vocational rehabilitation to develop an assessment tool that must be
32 used to determine whether the programs offered by the division of
33 vocational rehabilitation could assist persons receiving disability
34 lifeline benefits in returning to the work force. The assessment tool
35 shall be completed no later than December 1, 2010. The economic
36 services administration shall begin using the tool no later than
37 January 1, 2011. No later than December 30, 2011, the department shall

1 report on the use of the tool and to what extent the programs offered
2 by the division of vocational rehabilitation have been successful in
3 returning persons receiving disability lifeline benefits to the work
4 force.

5 (2) After January 1, 2011, all persons receiving disability
6 lifeline benefits shall be assessed to determine whether they would
7 likely benefit from a program offered by the division of vocational
8 rehabilitation. If the assessment indicates that the person might
9 benefit, the economic services administration shall make a referral to
10 the division of vocational rehabilitation. If the person is found
11 eligible for a program with the division of vocational rehabilitation,
12 he or she must participate in that program to remain eligible for the
13 monthly stipend and housing voucher or a cash grant. If the person
14 refuses to participate or does not complete the program, the department
15 shall terminate the cash stipend and housing voucher or cash grant but
16 may not terminate medical coverage and food benefits.

17 NEW SECTION. **Sec. 6.** A new section is added to chapter 74.04 RCW
18 to read as follows:

19 REFERRAL TO THE DEPARTMENT OF VETERANS AFFAIRS. During the
20 application process for disability lifeline benefits, the department
21 shall inquire of each applicant whether he or she has ever served in
22 the United States military service. If the applicant answers in the
23 affirmative, the department shall confer with a veterans benefit
24 specialist with the Washington state department of veterans affairs or
25 a contracted veterans service officer in the community to determine
26 whether the applicant is eligible for any benefits or programs offered
27 to veterans by either the state or the federal government.

28 NEW SECTION. **Sec. 7.** A new section is added to chapter 74.04 RCW
29 to read as follows:

30 EARLY SSI TRANSITION PROJECT. (1) To ensure that persons who are
31 likely eligible for supplemental security income benefits are
32 transitioned from disability lifeline benefits to disability lifeline
33 expedited and the medicaid program, and then to the supplemental
34 security income program as quickly as practicable, the department shall
35 implement the early supplemental security income transition project
36 starting in King, Pierce, and Spokane counties no later than July 1,

1 2010, and extending statewide no later than October 1, 2011. The
2 program shall be implemented through performance-based contracts with
3 managed health care systems providing medical care services under RCW
4 74.09.035 or other qualified entities. The participants shall have the
5 following responsibilities and duties under this program:

6 (a) The entities with whom the department contracts to provide the
7 program shall be responsible for:

8 (i) Systematically screening persons receiving disability lifeline
9 benefits at the point of eligibility determination or shortly
10 thereafter to determine if the persons should be referred for medical
11 or behavioral health evaluations to determine whether they are likely
12 eligible for supplemental security income;

13 (ii) Immediately sharing the results of the disability screening
14 with the department;

15 (iii) Managing disability lifeline incapacity evaluation
16 examinations to provide timely access to needed medical and behavioral
17 health evaluations and standardizing health care providers' conduct of
18 incapacity evaluations. To maximize the timeliness and efficiency of
19 incapacity evaluation examinations, the department must strongly
20 consider contracting with a managed health care system with a network
21 of health care providers that are trained and have agreed to conduct
22 disability lifeline medical and psychological incapacity and
23 recertification exams. The department may obtain medical evidence and
24 other relevant information from sources other than the contracted
25 entity if such evidence is available at the time of a person's
26 application for disability lifeline benefits and is sufficient to
27 support a determination that the person is incapacitated;

28 (iv) Maintaining a centralized appointment and clinical data
29 system; and

30 (v) Assisting persons receiving disability lifeline benefits with
31 obtaining additional medical or behavioral health examinations needed
32 to meet the disability standard for federal supplemental security
33 income benefits and with submission of applications for supplemental
34 security income benefits.

35 (b) The department shall be responsible for:

36 (i) Determining incapacity and eligibility for disability lifeline
37 benefits;

1 (ii) Making timely determinations that a person receiving
2 disability lifeline benefits is likely eligible for supplemental
3 security income based on medical evidence and other relevant
4 information provided by a contracted entity, and immediately referring
5 such persons to a contracted entity for services;

6 (iii) Developing standardized procedures for sharing data and
7 information with the contracted entities to ensure timely
8 identification of clients who have not been transferred to the
9 disability lifeline expedited program within four months of their date
10 of application, but who may, upon further review, be appropriately
11 transferred to that program;

12 (iv) Providing case management, in partnership with the managed
13 health care system or contracted entity, to support persons' transition
14 to federal supplemental security income and medicaid benefits; and

15 (v) Identifying a savings determination methodology, in
16 consultation with the contracted entities, the office of financial
17 management, and the legislature, on or before implementation of the
18 project.

19 (2) Early supplemental security income transition project contracts
20 shall include the following performance goals:

21 (a) Persons receiving disability lifeline benefits should be
22 screened within thirty days of entering the program to determine the
23 propriety of their transfer to the disability lifeline expedited
24 program; and

25 (b) Seventy-five percent of persons receiving disability lifeline
26 benefits that are likely to qualify for supplemental security income
27 benefits shall be transferred to the disability lifeline expedited
28 program within four months of their application for disability lifeline
29 benefits.

30 (3) The initial focus of the efforts of the early supplemental
31 security income transition project shall be on persons who have been
32 receiving disability lifeline or general assistance unemployable
33 benefits for twelve or more months as of September 1, 2010.

34 (4) No later than December 1, 2011, the department shall report to
35 the governor and appropriate policy and fiscal committees on whether
36 the early supplemental security income transition project performance
37 goals in subsection (2) of this section were met, including the reasons
38 those goals were or were not met.

1 (5) Pursuant to RCW 41.06.142(3), performance-based contracting
2 under this section is expressly mandated by the legislature and is not
3 subject to the processes set forth in RCW 41.06.142 (1), (4), and (5).

4 The statewide expansion of the program under this section shall be
5 considered expressly mandated by the legislature and not be subject to
6 the provisions of RCW 41.06.142 (1), (4), and (5).

7 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.330 RCW
8 to read as follows:

9 DISABILITY LIFELINE HOUSING VOUCHER PROGRAM. (1) To address the
10 housing issues faced by the disability lifeline applicants in RCW
11 74.04.005(5)(b), the department of commerce and the department of
12 social and health services shall jointly develop a housing voucher
13 program. The departments also shall develop housing resources to be
14 used by the applicants in RCW 74.04.005(5)(b). To the greatest extent
15 possible, the housing resources shall follow the supportive housing
16 model. The department of commerce shall administer the housing voucher
17 program and shall:

18 (a) Identify the current supply of private and public housing
19 including acquisition and rental of existing housing stock;

20 (b) Develop funding strategies for the development of housing
21 resources; and

22 (c) Design the voucher program to maximize the ability of the
23 department of social and health services to recover federal funding.

24 (2) If the department of commerce determines that the housing
25 supply is inadequate to meet the need for those applicants qualifying
26 for housing vouchers under RCW 74.04.005(5)(b), those applicants shall
27 instead receive a cash grant administered by the department of social
28 and health services. Upon the department of commerce's determination
29 that the housing supply is adequate to meet the needs of the applicants
30 in RCW 74.04.005(5)(b), housing vouchers rather than cash grants shall
31 be issued to these applicants who apply on or after the department's
32 determination.

33 (3) The department of commerce and the department of social and
34 health services shall evaluate the impact of the use of housing
35 vouchers under this section and report to the governor and relevant
36 policy and fiscal committees of the legislature by November 30, 2012,
37 on the following items:

- 1 (a) The supply, affordability, appropriateness, and use of stable
- 2 housing;
- 3 (b) The following outcomes for persons receiving disability
- 4 lifeline housing vouchers:
 - 5 (i) Participation in and completion of chemical dependency or
 - 6 mental health treatment;
 - 7 (ii) Contact with law enforcement, including arrest and conviction
 - 8 data;
 - 9 (iii) Use of emergency room services; and
 - 10 (iv) Involuntary commitment under chapter 71.05 RCW.

11 NEW SECTION. **Sec. 9.** A new section is added to chapter 70.47 RCW
12 to read as follows:

13 BASIC HEALTH PLAN ENROLLMENT. In order to ensure continuity of
14 health care coverage and avoid deterioration in health status, persons
15 who have lost eligibility for disability lifeline benefits under RCW
16 74.04.005(5) due to improvement in their health status and who are
17 eligible for subsidized basic health coverage shall be given priority
18 for enrollment in the basic health plan. If the administrator closes
19 or limits subsidized enrollment, to the extent funding is available,
20 the basic health plan must continue to accept and process applications
21 for subsidized enrollment from persons described in this section.

22 NEW SECTION. **Sec. 10.** A new section is added to chapter 70.96A
23 RCW to read as follows:

24 ACCESS TO CHEMICAL DEPENDENCY TREATMENT. If an assessment by a
25 certified chemical dependency counselor indicates a need for drug or
26 alcohol treatment, in order to enable a person receiving disability
27 lifeline benefits to improve his or her health status and transition
28 from disability lifeline benefits to employment, or transition to
29 federal disability benefits, the person must be given high priority for
30 enrollment in treatment, within funds appropriated for that treatment.
31 However, first priority for receipt of treatment services must be given
32 to pregnant women and parents of young children. This section expires
33 June 30, 2013. Persons who are terminated from disability lifeline
34 benefits under RCW 74.04.005(5)(h) and are actively engaged in chemical
35 dependency treatment during the month they are terminated shall be
36 provided the opportunity to complete their current course of treatment.

1 NEW SECTION. **Sec. 11.** A new section is added to chapter 74.04 RCW
2 to read as follows:

3 By December 1, 2012, the Washington state institute for public
4 policy shall submit a report to the governor and the relevant policy
5 and fiscal committees of the legislature that:

6 (1) Analyzes the experience of persons who have been terminated
7 from disability lifeline benefits pursuant to RCW 74.04.005(5). The
8 report shall include at least the following information:

9 (a) The number of persons terminated from the program who
10 transition to supplemental security income benefits;

11 (b) The number of persons who become employed;

12 (c) The rate at which the affected persons use hospital emergency
13 room services;

14 (d) The number of persons involuntarily committed under chapter
15 71.05 RCW;

16 (e) The number of persons arrested or convicted of criminal
17 offenses; and

18 (f) The mortality rate of the affected persons; and

19 (2) Reports as to whether the case review standards and early
20 supplemental security income transition project performance goals in
21 RCW 74.04.005(5) have been met by the department.

22 **Sec. 12.** RCW 10.101.010 and 1998 c 79 s 2 are each amended to read
23 as follows:

24 The following definitions shall be applied in connection with this
25 chapter:

26 (1) "Indigent" means a person who, at any stage of a court
27 proceeding, is:

28 (a) Receiving one of the following types of public assistance:
29 Temporary assistance for needy families, (~~general assistance~~)
30 disability lifeline benefits, poverty-related veterans' benefits, food
31 stamps or food stamp benefits transferred electronically, refugee
32 resettlement benefits, medicaid, or supplemental security income; or

33 (b) Involuntarily committed to a public mental health facility; or

34 (c) Receiving an annual income, after taxes, of one hundred twenty-
35 five percent or less of the current federally established poverty
36 level; or

1 (d) Unable to pay the anticipated cost of counsel for the matter
2 before the court because his or her available funds are insufficient to
3 pay any amount for the retention of counsel.

4 (2) "Indigent and able to contribute" means a person who, at any
5 stage of a court proceeding, is unable to pay the anticipated cost of
6 counsel for the matter before the court because his or her available
7 funds are less than the anticipated cost of counsel but sufficient for
8 the person to pay a portion of that cost.

9 (3) "Anticipated cost of counsel" means the cost of retaining
10 private counsel for representation on the matter before the court.

11 (4) "Available funds" means liquid assets and disposable net
12 monthly income calculated after provision is made for bail obligations.
13 For the purpose of determining available funds, the following
14 definitions shall apply:

15 (a) "Liquid assets" means cash, savings accounts, bank accounts,
16 stocks, bonds, certificates of deposit, equity in real estate, and
17 equity in motor vehicles. A motor vehicle necessary to maintain
18 employment and having a market value not greater than three thousand
19 dollars shall not be considered a liquid asset.

20 (b) "Income" means salary, wages, interest, dividends, and other
21 earnings which are reportable for federal income tax purposes, and cash
22 payments such as reimbursements received from pensions, annuities,
23 social security, and public assistance programs. It includes any
24 contribution received from any family member or other person who is
25 domiciled in the same residence as the defendant and who is helping to
26 defray the defendant's basic living costs.

27 (c) "Disposable net monthly income" means the income remaining each
28 month after deducting federal, state, or local income taxes, social
29 security taxes, contributory retirement, union dues, and basic living
30 costs.

31 (d) "Basic living costs" means the average monthly amount spent by
32 the defendant for reasonable payments toward living costs, such as
33 shelter, food, utilities, health care, transportation, clothing, loan
34 payments, support payments, and court-imposed obligations.

35 **Sec. 13.** RCW 13.34.030 and 2009 c 520 s 21 and 2009 c 397 s 1 are
36 each reenacted and amended to read as follows:

37 For purposes of this chapter:

1 (1) "Abandoned" means when the child's parent, guardian, or other
2 custodian has expressed, either by statement or conduct, an intent to
3 forego, for an extended period, parental rights or responsibilities
4 despite an ability to exercise such rights and responsibilities. If
5 the court finds that the petitioner has exercised due diligence in
6 attempting to locate the parent, no contact between the child and the
7 child's parent, guardian, or other custodian for a period of three
8 months creates a rebuttable presumption of abandonment, even if there
9 is no expressed intent to abandon.

10 (2) "Child" and "juvenile" means any individual under the age of
11 eighteen years.

12 (3) "Current placement episode" means the period of time that
13 begins with the most recent date that the child was removed from the
14 home of the parent, guardian, or legal custodian for purposes of
15 placement in out-of-home care and continues until: (a) The child
16 returns home; (b) an adoption decree, a permanent custody order, or
17 guardianship order is entered; or (c) the dependency is dismissed,
18 whichever occurs first.

19 (4) "Department" means the department of social and health
20 services.

21 (5) "Dependency guardian" means the person, nonprofit corporation,
22 or Indian tribe appointed by the court pursuant to this chapter for the
23 limited purpose of assisting the court in the supervision of the
24 dependency.

25 (6) "Dependent child" means any child who:

26 (a) Has been abandoned;

27 (b) Is abused or neglected as defined in chapter 26.44 RCW by a
28 person legally responsible for the care of the child; or

29 (c) Has no parent, guardian, or custodian capable of adequately
30 caring for the child, such that the child is in circumstances which
31 constitute a danger of substantial damage to the child's psychological
32 or physical development.

33 (7) "Developmental disability" means a disability attributable to
34 mental retardation, cerebral palsy, epilepsy, autism, or another
35 neurological or other condition of an individual found by the secretary
36 to be closely related to mental retardation or to require treatment
37 similar to that required for individuals with mental retardation, which

1 disability originates before the individual attains age eighteen, which
2 has continued or can be expected to continue indefinitely, and which
3 constitutes a substantial handicap to the individual.

4 (8) "Guardian" means the person or agency that: (a) Has been
5 appointed as the guardian of a child in a legal proceeding other than
6 a proceeding under this chapter; and (b) has the legal right to custody
7 of the child pursuant to such appointment. The term "guardian" shall
8 not include a "dependency guardian" appointed pursuant to a proceeding
9 under this chapter.

10 (9) "Guardian ad litem" means a person, appointed by the court to
11 represent the best interests of a child in a proceeding under this
12 chapter, or in any matter which may be consolidated with a proceeding
13 under this chapter. A "court-appointed special advocate" appointed by
14 the court to be the guardian ad litem for the child, or to perform
15 substantially the same duties and functions as a guardian ad litem,
16 shall be deemed to be guardian ad litem for all purposes and uses of
17 this chapter.

18 (10) "Guardian ad litem program" means a court-authorized volunteer
19 program, which is or may be established by the superior court of the
20 county in which such proceeding is filed, to manage all aspects of
21 volunteer guardian ad litem representation for children alleged or
22 found to be dependent. Such management shall include but is not
23 limited to: Recruitment, screening, training, supervision, assignment,
24 and discharge of volunteers.

25 (11) "Housing assistance" means appropriate referrals by the
26 department or other supervising agencies to federal, state, local, or
27 private agencies or organizations, assistance with forms, applications,
28 or financial subsidies or other monetary assistance for housing. For
29 purposes of this chapter, "housing assistance" is not a remedial
30 service or time-limited family reunification service as described in
31 RCW 13.34.025(2).

32 (12) "Indigent" means a person who, at any stage of a court
33 proceeding, is:

34 (a) Receiving one of the following types of public assistance:
35 Temporary assistance for needy families, (~~general assistance~~)
36 disability lifeline benefits, poverty-related veterans' benefits, food
37 stamps or food stamp benefits transferred electronically, refugee
38 resettlement benefits, medicaid, or supplemental security income; or

1 (b) Involuntarily committed to a public mental health facility; or
2 (c) Receiving an annual income, after taxes, of one hundred twenty-
3 five percent or less of the federally established poverty level; or
4 (d) Unable to pay the anticipated cost of counsel for the matter
5 before the court because his or her available funds are insufficient to
6 pay any amount for the retention of counsel.

7 (13) "Out-of-home care" means placement in a foster family home or
8 group care facility licensed pursuant to chapter 74.15 RCW or placement
9 in a home, other than that of the child's parent, guardian, or legal
10 custodian, not required to be licensed pursuant to chapter 74.15 RCW.

11 (14) "Preventive services" means preservation services, as defined
12 in chapter 74.14C RCW, and other reasonably available services,
13 including housing assistance, capable of preventing the need for out-
14 of-home placement while protecting the child.

15 (15) "Shelter care" means temporary physical care in a facility
16 licensed pursuant to RCW 74.15.030 or in a home not required to be
17 licensed pursuant to RCW 74.15.030.

18 (16) "Sibling" means a child's birth brother, birth sister,
19 adoptive brother, adoptive sister, half-brother, or half-sister, or as
20 defined by the law or custom of the Indian child's tribe for an Indian
21 child as defined in 25 U.S.C. Sec. 1903(4).

22 (17) "Social study" means a written evaluation of matters relevant
23 to the disposition of the case and shall contain the following
24 information:

25 (a) A statement of the specific harm or harms to the child that
26 intervention is designed to alleviate;

27 (b) A description of the specific services and activities, for both
28 the parents and child, that are needed in order to prevent serious harm
29 to the child; the reasons why such services and activities are likely
30 to be useful; the availability of any proposed services; and the
31 agency's overall plan for ensuring that the services will be delivered.
32 The description shall identify the services chosen and approved by the
33 parent;

34 (c) If removal is recommended, a full description of the reasons
35 why the child cannot be protected adequately in the home, including a
36 description of any previous efforts to work with the parents and the
37 child in the home; the in-home treatment programs that have been
38 considered and rejected; the preventive services, including housing

1 assistance, that have been offered or provided and have failed to
2 prevent the need for out-of-home placement, unless the health, safety,
3 and welfare of the child cannot be protected adequately in the home;
4 and the parents' attitude toward placement of the child;

5 (d) A statement of the likely harms the child will suffer as a
6 result of removal;

7 (e) A description of the steps that will be taken to minimize the
8 harm to the child that may result if separation occurs including an
9 assessment of the child's relationship and emotional bond with any
10 siblings, and the agency's plan to provide ongoing contact between the
11 child and the child's siblings if appropriate; and

12 (f) Behavior that will be expected before determination that
13 supervision of the family or placement is no longer necessary.

14 (18) "Supervising agency" means an agency licensed by the state
15 under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 with whom
16 the department has entered into a performance-based contract to provide
17 child welfare services as defined in RCW 74.13.020.

18 **Sec. 14.** RCW 26.19.071 and 2009 c 84 s 3 are each amended to read
19 as follows:

20 (1) **Consideration of all income.** All income and resources of each
21 parent's household shall be disclosed and considered by the court when
22 the court determines the child support obligation of each parent. Only
23 the income of the parents of the children whose support is at issue
24 shall be calculated for purposes of calculating the basic support
25 obligation. Income and resources of any other person shall not be
26 included in calculating the basic support obligation.

27 (2) **Verification of income.** Tax returns for the preceding two
28 years and current paystubs shall be provided to verify income and
29 deductions. Other sufficient verification shall be required for income
30 and deductions which do not appear on tax returns or paystubs.

31 (3) **Income sources included in gross monthly income.** Except as
32 specifically excluded in subsection (4) of this section, monthly gross
33 income shall include income from any source, including:

- 34 (a) Salaries;
- 35 (b) Wages;
- 36 (c) Commissions;
- 37 (d) Deferred compensation;

- 1 (e) Overtime, except as excluded for income in subsection (4)(h) of
2 this section;
- 3 (f) Contract-related benefits;
- 4 (g) Income from second jobs, except as excluded for income in
5 subsection (4)(h) of this section;
- 6 (h) Dividends;
- 7 (i) Interest;
- 8 (j) Trust income;
- 9 (k) Severance pay;
- 10 (l) Annuities;
- 11 (m) Capital gains;
- 12 (n) Pension retirement benefits;
- 13 (o) Workers' compensation;
- 14 (p) Unemployment benefits;
- 15 (q) Maintenance actually received;
- 16 (r) Bonuses;
- 17 (s) Social security benefits;
- 18 (t) Disability insurance benefits; and
- 19 (u) Income from self-employment, rent, royalties, contracts,
20 proprietorship of a business, or joint ownership of a partnership or
21 closely held corporation.

22 (4) **Income sources excluded from gross monthly income.** The
23 following income and resources shall be disclosed but shall not be
24 included in gross income:

- 25 (a) Income of a new spouse or new domestic partner or income of
26 other adults in the household;
- 27 (b) Child support received from other relationships;
- 28 (c) Gifts and prizes;
- 29 (d) Temporary assistance for needy families;
- 30 (e) Supplemental security income;
- 31 (f) (~~General assistance~~) Disability lifeline benefits;
- 32 (g) Food stamps; and
- 33 (h) Overtime or income from second jobs beyond forty hours per week
34 averaged over a twelve-month period worked to provide for a current
35 family's needs, to retire past relationship debts, or to retire child
36 support debt, when the court finds the income will cease when the party
37 has paid off his or her debts.

1 Receipt of income and resources from temporary assistance for needy
2 families, supplemental security income, (~~general—assistance~~)
3 disability lifeline benefits, and food stamps shall not be a reason to
4 deviate from the standard calculation.

5 (5) **Determination of net income.** The following expenses shall be
6 disclosed and deducted from gross monthly income to calculate net
7 monthly income:

8 (a) Federal and state income taxes;

9 (b) Federal insurance contributions act deductions;

10 (c) Mandatory pension plan payments;

11 (d) Mandatory union or professional dues;

12 (e) State industrial insurance premiums;

13 (f) Court-ordered maintenance to the extent actually paid;

14 (g) Up to five thousand dollars per year in voluntary retirement
15 contributions actually made if the contributions show a pattern of
16 contributions during the one-year period preceding the action
17 establishing the child support order unless there is a determination
18 that the contributions were made for the purpose of reducing child
19 support; and

20 (h) Normal business expenses and self-employment taxes for self-
21 employed persons. Justification shall be required for any business
22 expense deduction about which there is disagreement.

23 Items deducted from gross income under this subsection shall not be
24 a reason to deviate from the standard calculation.

25 (6) **Imputation of income.** The court shall impute income to a
26 parent when the parent is voluntarily unemployed or voluntarily
27 underemployed. The court shall determine whether the parent is
28 voluntarily underemployed or voluntarily unemployed based upon that
29 parent's work history, education, health, and age, or any other
30 relevant factors. A court shall not impute income to a parent who is
31 gainfully employed on a full-time basis, unless the court finds that
32 the parent is voluntarily underemployed and finds that the parent is
33 purposely underemployed to reduce the parent's child support
34 obligation. Income shall not be imputed for an unemployable parent.
35 Income shall not be imputed to a parent to the extent the parent is
36 unemployed or significantly underemployed due to the parent's efforts
37 to comply with court-ordered reunification efforts under chapter 13.34
38 RCW or under a voluntary placement agreement with an agency supervising

1 the child. In the absence of records of a parent's actual earnings,
2 the court shall impute a parent's income in the following order of
3 priority:

4 (a) Full-time earnings at the current rate of pay;

5 (b) Full-time earnings at the historical rate of pay based on
6 reliable information, such as employment security department data;

7 (c) Full-time earnings at a past rate of pay where information is
8 incomplete or sporadic;

9 (d) Full-time earnings at minimum wage in the jurisdiction where
10 the parent resides if the parent has a recent history of minimum wage
11 earnings, is recently coming off public assistance, (~~general~~
12 ~~assistance-unemployable~~) disability lifeline benefits, supplemental
13 security income, or disability, has recently been released from
14 incarceration, or is a high school student;

15 (e) Median net monthly income of year-round full-time workers as
16 derived from the United States bureau of census, current population
17 reports, or such replacement report as published by the bureau of
18 census.

19 **Sec. 15.** RCW 31.04.540 and 2009 c 149 s 8 are each amended to read
20 as follows:

21 (1) To the extent that implementation of this section does not
22 conflict with federal law resulting in the loss of federal funding,
23 proprietary reverse mortgage loan advances made to a borrower must be
24 treated as proceeds from a loan and not as income for the purpose of
25 determining eligibility and benefits under means-tested programs of aid
26 to individuals.

27 (2) Undisbursed reverse mortgage funds must be treated as equity in
28 the borrower's home and not as proceeds from a loan, resources, or
29 assets for the purpose of determining eligibility and benefits under
30 means-tested programs of aid to individuals.

31 (3) This section applies to any law or program relating to
32 payments, allowances, benefits, or services provided on a means-tested
33 basis by this state including, but not limited to, optional state
34 supplements to the federal supplemental security income program, low-
35 income energy assistance, property tax relief, (~~general assistance~~)
36 disability lifeline benefits, and medical assistance only to the extent

1 this section does not conflict with Title 19 of the federal social
2 security act.

3 **Sec. 16.** RCW 70.123.110 and 1997 c 59 s 9 are each amended to read
4 as follows:

5 ((General assistance)) Disability lifeline benefits or temporary
6 assistance for needy families payments shall be made to otherwise
7 eligible individuals who are residing in a secure shelter, a housing
8 network or other shelter facility which provides shelter services to
9 persons who are victims of domestic violence. Provisions shall be made
10 by the department for the confidentiality of the shelter addresses
11 where victims are residing.

12 **Sec. 17.** RCW 73.08.005 and 2009 c 35 s 1 are each amended to read
13 as follows:

14 The definitions in this section apply throughout this chapter
15 unless the context clearly requires otherwise.

16 (1) "Direct costs" includes those allowable costs that can be
17 readily assigned to the statutory objectives of this chapter,
18 consistent with the cost principles promulgated by the federal office
19 of management and budget in circular No. A-87, dated May 10, 2004.

20 (2) "Family" means the spouse or domestic partner, surviving
21 spouse, surviving domestic partner, and dependent children of a living
22 or deceased veteran.

23 (3) "Indigent" means a person who is defined as such by the county
24 legislative authority using one or more of the following definitions:

25 (a) Receiving one of the following types of public assistance:
26 Temporary assistance for needy families, ((general assistance))
27 disability lifeline benefits, poverty-related veterans' benefits, food
28 stamps or food stamp benefits transferred electronically, refugee
29 resettlement benefits, medicaid, or supplemental security income;

30 (b) Receiving an annual income, after taxes, of up to one hundred
31 fifty percent or less of the current federally established poverty
32 level, or receiving an annual income not exceeding a higher qualifying
33 income established by the county legislative authority; or

34 (c) Unable to pay reasonable costs for shelter, food, utilities,
35 and transportation because his or her available funds are insufficient.

1 (4) "Indirect costs" includes those allowable costs that are
2 generally associated with carrying out the statutory objectives of this
3 chapter, but the identification and tracking of those costs cannot be
4 readily assigned to a specific statutory objective without an
5 accounting effort that is disproportionate to the benefit received. A
6 county legislative authority may allocate allowable indirect costs to
7 its veterans' assistance fund if it is accomplished in a manner
8 consistent with the cost principles promulgated by the federal office
9 of management and budget in circular No. A-87, dated May 10, 2004.

10 (5) "Veteran" has the same meaning as defined in RCW 41.04.005 and
11 41.04.007, and includes a current member of the national guard or armed
12 forces reserves who has been deployed to serve in an armed conflict.

13 (6) "Veterans' advisory board" means a board established by a
14 county legislative authority under the authority of RCW 73.08.035.

15 (7) "Veterans' assistance fund" means an account in the custody of
16 the county auditor, or the chief financial officer in a county
17 operating under a charter, that is funded by taxes levied under the
18 authority of RCW 73.08.080.

19 (8) "Veterans' assistance program" means a program approved by the
20 county legislative authority under the authority of RCW 73.08.010 that
21 is fully or partially funded by the veterans' assistance fund
22 authorized by RCW 73.08.080.

23 **Sec. 18.** RCW 74.04.0052 and 1997 c 58 s 502 are each amended to
24 read as follows:

25 (1) The department shall determine, after consideration of all
26 relevant factors and in consultation with the applicant, the most
27 appropriate living situation for applicants under eighteen years of
28 age, unmarried, and pregnant who are eligible for (~~general assistance~~
29 ~~as defined in RCW 74.04.005(6)(a)(ii)(A))~~ disability lifeline
30 benefits. An appropriate living situation shall include a place of
31 residence that is maintained by the applicant's parents, parent, legal
32 guardian, or other adult relative as their or his or her own home and
33 that the department finds would provide an appropriate supportive
34 living arrangement. It also includes a living situation maintained by
35 an agency that is licensed under chapter 74.15 RCW that the department
36 finds would provide an appropriate supportive living arrangement.

1 Grant assistance shall not be provided under this chapter if the
2 applicant does not reside in the most appropriate living situation, as
3 determined by the department.

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

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

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

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

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

34 **Sec. 19.** RCW 74.04.120 and 1979 c 141 s 301 are each amended to
35 read as follows:

36 Allocations of state and federal funds shall be made upon the basis
37 of need within the respective counties as disclosed by the quarterly

1 budgets, considered in conjunction with revenues available for the
2 satisfaction of that need: PROVIDED, That in preparing his quarterly
3 budget for federal aid assistance, the administrator shall include the
4 aggregate of the individual case load approved by the department to
5 date on the basis of need and the secretary shall approve and allocate
6 an amount sufficient to service the aggregate case load as included in
7 said budget, and in the event any portion of the budgeted case load
8 cannot be serviced with moneys available for the particular category
9 for which an application is made the committee may on the
10 administrator's request authorize the transfer of sufficient (~~general~~
11 ~~assistance~~) disability lifeline program funds to the appropriation for
12 such category to service such case load and secure the benefit of
13 federal matching funds.

14 **Sec. 20.** RCW 74.04.230 and 1982 c 204 s 16 are each amended to
15 read as follows:

16 Persons eligible for (~~general assistance under RCW 74.04.005~~)
17 disability lifeline benefits are eligible for mental health services to
18 the extent that they meet the client definitions and priorities
19 established by chapter 71.24 RCW.

20 **Sec. 21.** RCW 74.04.266 and 1977 ex.s. c 215 s 1 are each amended
21 to read as follows:

22 In determining need for (~~general assistance for unemployable~~
23 ~~persons as defined in RCW 74.04.005(6)(a))~~) disability lifeline
24 benefits, the department may by rule and regulation establish a monthly
25 earned income exemption in an amount not to exceed the exemption
26 allowable under disability programs authorized in Title XVI of the
27 federal social security act.

28 **Sec. 22.** RCW 74.04.620 and 1983 1st ex.s. c 41 s 37 are each
29 amended to read as follows:

30 (1) The department is authorized to establish a program of state
31 supplementation to the national program of supplemental security income
32 consistent with Public Law 92-603 and Public Law 93-66 to those persons
33 who are in need thereof in accordance with eligibility requirements
34 established by the department.

1 (2) The department is authorized to establish reasonable standards
2 of assistance and resource and income exemptions specifically for such
3 program of state supplementation which shall be consistent with the
4 provisions of the Social Security Act.

5 (3) The department is authorized to make payments to applicants for
6 supplemental security income, pursuant to agreements as provided in
7 Public Law 93-368, who are otherwise eligible for (~~general~~
8 ~~assistance~~) disability lifeline benefits.

9 (4) Any agreement between the department and a supplemental
10 security income applicant providing for the reimbursement of interim
11 assistance to the department shall provide, if the applicant has been
12 represented by an attorney, that twenty-five percent of the
13 reimbursement received shall be withheld by the department and all or
14 such portion thereof as has been approved as a fee by the United States
15 department of health and human services shall be released directly to
16 the applicant's attorney. The secretary may maintain such records as
17 are deemed appropriate to measure the cost and effectiveness of such
18 agreements and may make recommendations concerning the continued use of
19 such agreements to the legislature.

20 **Sec. 23.** RCW 74.04.770 and 1997 c 59 s 11 are each amended to read
21 as follows:

22 The department shall establish consolidated standards of need each
23 fiscal year which may vary by geographical areas, program, and family
24 size, for temporary assistance for needy families, refugee assistance,
25 supplemental security income, and (~~general assistance~~) disability
26 lifeline benefits. Standards for temporary assistance for needy
27 families, refugee assistance, and (~~general assistance~~) disability
28 lifeline benefits shall be based on studies of actual living costs and
29 generally recognized inflation indices and shall include reasonable
30 allowances for shelter, fuel, food, transportation, clothing, household
31 maintenance and operations, personal maintenance, and necessary
32 incidentals. The standard of need may take into account the economies
33 of joint living arrangements, but unless explicitly required by federal
34 statute, there shall not be proration of any portion of assistance
35 grants unless the amount of the grant standard is equal to the standard
36 of need.

1 The department is authorized to establish rateable reductions and
2 grant maximums consistent with federal law.

3 Payment level will be equal to need or a lesser amount if rateable
4 reductions or grant maximums are imposed. In no case shall a recipient
5 of supplemental security income receive a state supplement less than
6 the minimum required by federal law.

7 The department may establish a separate standard for shelter
8 provided at no cost.

9 **Sec. 24.** RCW 74.08.043 and 1981 1st ex.s. c 6 s 12 are each
10 amended to read as follows:

11 In determining the living requirements of otherwise eligible
12 applicants and recipients of supplemental security income and (~~general~~
13 ~~assistance~~) disability lifeline benefits, the department is authorized
14 to consider the need for personal and special care and supervision due
15 to physical and mental conditions.

16 **Sec. 25.** RCW 74.08.278 and 1979 c 141 s 327 are each amended to
17 read as follows:

18 In order to comply with federal statutes and regulations pertaining
19 to federal matching funds and to provide for the prompt payment of
20 initial grants and adjusting payments of grants the secretary is
21 authorized to make provisions for the cash payment of assistance by the
22 secretary or county administrators by the establishment of a central
23 operating fund. The secretary may establish such a fund with the
24 approval of the state auditor from moneys appropriated to the
25 department for the payment of (~~general—assistance~~) disability
26 lifeline benefits in a sum not to exceed one million dollars. Such
27 funds shall be deposited as agreed upon by the secretary and the state
28 auditor in accordance with the laws regulating the deposits of public
29 funds. Such security shall be required of the depository in connection
30 with the fund as the state treasurer may prescribe. Moneys remaining
31 in the fund shall be returned to the general fund at the end of the
32 biennium, or an accounting of proper expenditures from the fund shall
33 be made to the state auditor. All expenditures from such central
34 operating fund shall be reimbursed out of and charged to the proper
35 program appropriated by the use of such forms and vouchers as are
36 approved by the secretary of the department and the state auditor.

1 Expenditures from such fund shall be audited by the director of
2 financial management and the state auditor from time to time and a
3 report shall be made by the state auditor and the secretary as are
4 required by law.

5 **Sec. 26.** RCW 74.08.335 and 1997 c 59 s 13 are each amended to read
6 as follows:

7 Temporary assistance for needy families and (~~general assistance~~)
8 disability lifeline benefits shall not be granted to any person who has
9 made an assignment or transfer of property for the purpose of rendering
10 himself or herself eligible for the assistance. There is a rebuttable
11 presumption that a person who has transferred or transfers any real or
12 personal property or any interest in property within two years of the
13 date of application for the assistance without receiving adequate
14 monetary consideration therefor, did so for the purpose of rendering
15 himself or herself eligible for the assistance. Any person who
16 transfers property for the purpose of rendering himself or herself
17 eligible for assistance, or any person who after becoming a recipient
18 transfers any property or any interest in property without the consent
19 of the secretary, shall be ineligible for assistance for a period of
20 time during which the reasonable value of the property so transferred
21 would have been adequate to meet the person's needs under normal
22 conditions of living: PROVIDED, That the secretary is hereby
23 authorized to allow exceptions in cases where undue hardship would
24 result from a denial of assistance.

25 **Sec. 27.** RCW 74.08A.210 and 1997 c 58 s 302 are each amended to
26 read as follows:

27 (1) In order to prevent some families from developing dependency on
28 temporary assistance for needy families, the department shall make
29 available to qualifying applicants a diversion program designed to
30 provide brief, emergency assistance for families in crisis whose income
31 and assets would otherwise qualify them for temporary assistance for
32 needy families.

33 (2) Diversion assistance may include cash or vouchers in payment
34 for the following needs:

- 35 (a) Child care;
- 36 (b) Housing assistance;

- 1 (c) Transportation-related expenses;
- 2 (d) Food;
- 3 (e) Medical costs for the recipient's immediate family;
- 4 (f) Employment-related expenses which are necessary to keep or
- 5 obtain paid unsubsidized employment.

6 (3) Diversion assistance is available once in each twelve-month
7 period for each adult applicant. Recipients of diversion assistance
8 are not included in the temporary assistance for needy families
9 program.

10 (4) Diversion assistance may not exceed one thousand five hundred
11 dollars for each instance.

12 (5) To be eligible for diversion assistance, a family must
13 otherwise be eligible for temporary assistance for needy families.

14 (6) Families ineligible for temporary assistance for needy families
15 or (~~general assistance~~) disability lifeline benefits due to sanction,
16 noncompliance, the lump sum income rule, or any other reason are not
17 eligible for diversion assistance.

18 (7) Families must provide evidence showing that a bona fide need
19 exists according to subsection (2) of this section in order to be
20 eligible for diversion assistance.

21 An adult applicant may receive diversion assistance of any type no
22 more than once per twelve-month period. If the recipient of diversion
23 assistance is placed on the temporary assistance for needy families
24 program within twelve months of receiving diversion assistance, the
25 prorated dollar value of the assistance shall be treated as a loan from
26 the state, and recovered by deduction from the recipient's cash grant.

27 **Sec. 28.** RCW 74.09.010 and 2007 c 3 s 2 are each amended to read
28 as follows:

29 As used in this chapter:

30 (1) "Children's health program" means the health care services
31 program provided to children under eighteen years of age and in
32 households with incomes at or below the federal poverty level as
33 annually defined by the federal department of health and human services
34 as adjusted for family size, and who are not otherwise eligible for
35 medical assistance or the limited casualty program for the medically
36 needy.

- 1 (2) "Committee" means the children's health services committee
2 created in section 3 of this act.
- 3 (3) "County" means the board of county commissioners, county
4 council, county executive, or tribal jurisdiction, or its designee. A
5 combination of two or more county authorities or tribal jurisdictions
6 may enter into joint agreements to fulfill the requirements of RCW
7 74.09.415 through 74.09.435.
- 8 (4) "Department" means the department of social and health
9 services.
- 10 (5) "Department of health" means the Washington state department of
11 health created pursuant to RCW 43.70.020.
- 12 (6) "Internal management" means the administration of medical
13 assistance, medical care services, the children's health program, and
14 the limited casualty program.
- 15 (7) "Limited casualty program" means the medical care program
16 provided to medically needy persons as defined under Title XIX of the
17 federal social security act, and to medically indigent persons who are
18 without income or resources sufficient to secure necessary medical
19 services.
- 20 (8) "Medical assistance" means the federal aid medical care program
21 provided to categorically needy persons as defined under Title XIX of
22 the federal social security act.
- 23 (9) "Medical care services" means the limited scope of care
24 financed by state funds and provided to (~~general assistance~~)
25 disability lifeline benefits recipients, and recipients of alcohol and
26 drug addiction services provided under chapter 74.50 RCW.
- 27 (10) "Nursing home" means nursing home as defined in RCW 18.51.010.
- 28 (11) "Poverty" means the federal poverty level determined annually
29 by the United States department of health and human services, or
30 successor agency.
- 31 (12) "Secretary" means the secretary of social and health services.
- 32 (13) "Full benefit dual eligible beneficiary" means an individual
33 who, for any month: Has coverage for the month under a medicare
34 prescription drug plan or medicare advantage plan with part D coverage;
35 and is determined eligible by the state for full medicaid benefits for
36 the month under any eligibility category in the state's medicaid plan
37 or a section 1115 demonstration waiver that provides pharmacy benefits.

1 **Sec. 29.** RCW 74.09.035 and 1987 c 406 s 12 are each amended to
2 read as follows:

3 (1) To the extent of available funds, medical care services may be
4 provided to recipients of (~~general assistance~~) disability lifeline
5 benefits, persons denied disability lifeline benefits under RCW
6 74.04.005(5)(b) or section 5 of this act who otherwise meet the
7 requirements of RCW 74.04.005(5)(a), and recipients of alcohol and drug
8 addiction services provided under chapter 74.50 RCW, in accordance with
9 medical eligibility requirements established by the department. To the
10 extent authorized in the operating budget, upon implementation of a
11 federal medicaid 1115 waiver providing federal matching funds for
12 medical care services, these services also may be provided to persons
13 who have been terminated from disability lifeline benefits under RCW
14 74.04.005(5)(h).

15 (2) Determination of the amount, scope, and duration of medical
16 care services shall be limited to coverage as defined by the
17 department, except that adult dental, and routine foot care shall not
18 be included unless there is a specific appropriation for these
19 services.

20 (3) The department shall enter into performance-based contracts
21 with one or more managed health care systems for the provision of
22 medical care services to recipients of disability lifeline benefits.
23 The contract must provide for integrated delivery of medical and mental
24 health services.

25 (4) The department shall establish standards of assistance and
26 resource and income exemptions, which may include deductibles and co-
27 insurance provisions. In addition, the department may include a
28 prohibition against the voluntary assignment of property or cash for
29 the purpose of qualifying for assistance.

30 (~~(4)~~) (5) Residents of skilled nursing homes, intermediate care
31 facilities, and intermediate care facilities for the mentally retarded,
32 as that term is described by federal law, who are eligible for medical
33 care services shall be provided medical services to the same extent as
34 provided to those persons eligible under the medical assistance
35 program.

36 (~~(5)~~) (6) Payments made by the department under this program
37 shall be the limit of expenditures for medical care services solely
38 from state funds.

1 ((+6+)) (7) Eligibility for medical care services shall commence
2 with the date of certification for ((general assistance)) disability
3 lifeline benefits or the date of eligibility for alcohol and drug
4 addiction services provided under chapter 74.50 RCW.

5 **Sec. 30.** RCW 74.09.555 and 2005 c 503 s 12 are each amended to
6 read as follows:

7 (1) The department shall adopt rules and policies providing that
8 when persons with a mental disorder, who were enrolled in medical
9 assistance immediately prior to confinement, are released from
10 confinement, their medical assistance coverage will be fully reinstated
11 on the day of their release, subject to any expedited review of their
12 continued eligibility for medical assistance coverage that is required
13 under federal or state law.

14 (2) The department, in collaboration with the Washington
15 association of sheriffs and police chiefs, the department of
16 corrections, and the regional support networks, shall establish
17 procedures for coordination between department field offices,
18 institutions for mental disease, and correctional institutions, as
19 defined in RCW 9.94.049, that result in prompt reinstatement of
20 eligibility and speedy eligibility determinations for persons who are
21 likely to be eligible for medical assistance services upon release from
22 confinement. Procedures developed under this subsection must address:

23 (a) Mechanisms for receiving medical assistance services
24 applications on behalf of confined persons in anticipation of their
25 release from confinement;

26 (b) Expeditious review of applications filed by or on behalf of
27 confined persons and, to the extent practicable, completion of the
28 review before the person is released;

29 (c) Mechanisms for providing medical assistance services identity
30 cards to persons eligible for medical assistance services immediately
31 upon their release from confinement; and

32 (d) Coordination with the federal social security administration,
33 through interagency agreements or otherwise, to expedite processing of
34 applications for federal supplemental security income or social
35 security disability benefits, including federal acceptance of
36 applications on behalf of confined persons.

1 (3) Where medical or psychiatric examinations during a person's
2 confinement indicate that the person is disabled, the correctional
3 institution or institution for mental diseases shall provide the
4 department with that information for purposes of making medical
5 assistance eligibility and enrollment determinations prior to the
6 person's release from confinement. The department shall, to the
7 maximum extent permitted by federal law, use the examination in making
8 its determination whether the person is disabled and eligible for
9 medical assistance.

10 (4) For purposes of this section, "confined" or "confinement" means
11 incarcerated in a correctional institution, as defined in RCW 9.94.049,
12 or admitted to an institute for mental disease, as defined in 42 C.F.R.
13 part 435, Sec. 1009 on July 24, 2005.

14 (5) For purposes of this section, "likely to be eligible" means
15 that a person:

16 (a) Was enrolled in medicaid or supplemental security income or
17 (~~general assistance~~) the disability lifeline program immediately
18 before he or she was confined and his or her enrollment was terminated
19 during his or her confinement; or

20 (b) Was enrolled in medicaid or supplemental security income or
21 (~~general assistance~~) the disability lifeline program at any time
22 during the five years before his or her confinement, and medical or
23 psychiatric examinations during the person's confinement indicate that
24 the person continues to be disabled and the disability is likely to
25 last at least twelve months following release.

26 (6) The economic services administration shall adopt standardized
27 statewide screening and application practices and forms designed to
28 facilitate the application of a confined person who is likely to be
29 eligible for medicaid.

30 **Sec. 31.** RCW 74.50.060 and 1989 1st ex.s. c 18 s 3 are each
31 amended to read as follows:

32 (1) The department shall establish a shelter assistance program to
33 provide, within available funds, shelter for persons eligible under
34 this chapter. "Shelter," "shelter support," or "shelter assistance"
35 means a facility under contract to the department providing room and
36 board in a supervised living arrangement, normally in a group or
37 dormitory setting, to eligible recipients under this chapter. This may

1 include supervised domiciliary facilities operated under the auspices
2 of public or private agencies. No facility under contract to the
3 department shall allow the consumption of alcoholic beverages on the
4 premises. The department may contract with counties and cities for
5 such shelter services. To the extent possible, the department shall
6 not displace existing emergency shelter beds for use as shelter under
7 this chapter. In areas of the state in which it is not feasible to
8 develop shelters, due to low numbers of people needing shelter
9 services, or in which sufficient numbers of shelter beds are not
10 available, the department may provide shelter through an intensive
11 protective payee program, unless the department grants an exception on
12 an individual basis for less intense supervision.

13 (2) Persons continuously eligible for the (~~general assistance—~~
14 ~~unemployable program~~) disability lifeline program since July 25, 1987,
15 who transfer to the program established by this chapter, have the
16 option to continue their present living situation, but only through a
17 protective payee.

18 NEW SECTION. **Sec. 32.** A new section is added to chapter 74.08A
19 RCW to read as follows:

20 Recipients exempted from active work search activities due to
21 incapacity or a disability shall receive disability lifeline benefits
22 as they relate to the facilitation of enrollment in the federal
23 supplemental security income program, access to chemical dependency
24 treatment, referrals to vocational rehabilitation, and other services
25 needed to assist the recipient in becoming employable. Disability
26 lifeline benefits shall not supplant cash assistance and other services
27 provided through the temporary assistance for needy families program.
28 To the greatest extent possible, services shall be funded through the
29 temporary assistance for needy families appropriations.

30 NEW SECTION. **Sec. 33.** This act shall be known and cited as the
31 security lifeline act.

32 NEW SECTION. **Sec. 34.** Except for section 10 of this act, this act
33 is necessary for the immediate preservation of the public peace,
34 health, or safety, or support of the state government and its existing
35 public institutions, and takes effect immediately.

1 NEW SECTION. **Sec. 35.** Section 10 of this act takes effect July 1,
2 2010.

3 NEW SECTION. **Sec. 36.** If private funding sufficient to implement
4 and operate the portal authorized under section 2 of this act is not
5 secured by December 31, 2010, section 2 of this act is null and void.

6 NEW SECTION. **Sec. 37.** Sections 1 through 10 and 29 of this act
7 shall be implemented within the amounts appropriated specifically for
8 these purposes in the omnibus operating appropriations act."

9 Correct the title.

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