

SENATE BILL REPORT

E2SHB 2782

As of Second Reading

Title: An act relating to establishing the security lifeline act.

Brief Description: Concerning the security lifeline act.

Sponsors: House Committee on Ways & Means (originally sponsored by Representatives Dickerson, Appleton, McCoy, Carlyle, Morrell, Kagi, Kessler, Green, Ericks, Moeller, Roberts, Nelson and Orwall).

Brief History: Passed House: 2/12/10, 55-41; 3/19/10, 59-36.

Committee Activity:

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Jennifer Strus (786-7316)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Michael Bezanson (786-7449)

Background: Access to Benefits. Individuals are currently able to apply for and renew public assistance benefits online from their home and from kiosks located in the waiting areas in the offices of Department of Social and Health Services (DSHS). The benefits available through this online service access application include food assistance, cash assistance, medical assistance, drug or alcohol treatment, assisted living, child care, and in-home care.

Since the summer of 2009, DSHS has been working with a steering committee composed of nonprofit organizations, government agencies, and community organizations to develop a web-based benefits portal to allow eligible persons to apply for and access additional benefits such as energy assistance, federal student aid, housing assistance, and others. A request for proposals is being developed, and the steering committee is seeking private funding for the portal project.

Food Stamp Employment and Training Program. The Food Stamp Employment and Training Program (Program) was established and administered through the Employment Security Department (ESD) and DSHS pursuant to a provision in the Washington

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Administrative Code. Recipients of assistance under the Basic Food Program, unless they are exempt, are required to participate in the Program. Program participants engage in job search workshops and receive assistance in job placement.

Emphasis in the Program is given to participants who have been assessed as needing basic education, a General Equivalency Diploma (GED), English as a second language, or vocational training in order to increase their opportunity for employment. Currently 12 community colleges participate in the Program.

General Assistance Program. The General Assistance Program (GA) is a public assistance program for low income individuals. Recipients are eligible for a cash grant, food assistance, and medical care, including mental health care. Individuals who are eligible for GA are not eligible for other federal assistance other than food assistance, and to qualify for GA they must be incapacitated from gainful employment because of a physical or mental infirmity that will likely continue for at least 90 days. If the infirmity is primarily due to a drug or alcohol addiction, a person is not eligible for GA. The monthly cash grant amount for GA is \$339.

Summary of Bill: Opportunity Portal. DSHS will serve as the executive branch sponsor of the Opportunity Portal. DSHS must select an appropriate solution and acquisition approach for the project. By July 1, 2012, DSHS must develop a plan for implementing paperless application processes for the services included in the Opportunity Portal. The plan must comply with federal law, and DSHS must provide the plan to the relevant legislative committees by November 15, 2011.

DSHS must ensure that the project maximizes available federal and private funds for the development and initial operation of the Opportunity Portal. Incidental costs to state agencies are to be derived from existing resources. If private funding sufficient to implement and operate the Opportunity Portal is not secured by December 31, 2010, the section authorizing its implementation becomes null and void.

DSHS must submit an annual report to the Legislature and the Governor regarding implementation, outcomes, and use of the portal. The first report is due on December 1, 2011.

Basic Food Employment and Training Program. DSHS, ESD, and the State Board for Community and Technical Colleges must work in a partnership to expand the Program. Subject to federal approval, the Program will be expanded to three additional community colleges or other community-based locations in 2010 and will expand capacity of the 12 currently participating colleges.

The agencies working in partnership must seek out community organizations that can provide support services and case management to participants in the Program, and they must identify funds with which to draw down federal matching funds for employment and training services. Support services provided by community-based organizations must supplement, and not replace, the positions or work of DSHS employees.

Employment and training funds may be allocated for skill development for employment, vocational education, English as a second language, job readiness, tuition, housing, counseling, transportation, and other services.

DSHS must annually track and report outcomes, including federal funding received, the number of participants served, completion rates, wages, and other outcome-related data. The report must be submitted to the Governor and appropriate legislative committees on November 1 of each year, beginning in 2010.

Disability Lifeline Program. GA is renamed the Disability Lifeline Program.

A person who otherwise meets the eligibility requirements and who has a drug or alcohol addiction but is still incapacitated because of mental or physical infirmity and cannot work, must go to treatment. If that person participates in the treatment program, he or she will receive a cash grant. If the recipient refuses to participate in treatment or does not complete treatment, then the recipient is ineligible to receive the cash grant but would still be eligible for medical and food benefits, unless good cause is shown. Good cause must be found to exist when a person's physical or mental condition, as determined by DSHS, prevents the person from participating in drug or alcohol treatment, when needed outpatient drug or alcohol treatment is not available in a location that is reasonably accessible, or when drug or alcohol treatment is not available to the person.

A person who otherwise meets the eligibility requirements must not refuse or fail without good cause to participate in vocational rehabilitation services of an assessment conducted pursuant to this bill which indicates that a person might benefit from such services.

On or after September 2, 2010, a person who otherwise meets the eligibility requirements, is homeless and has been assessed as needing chemical dependency or mental health treatment or both must agree to accept a housing voucher in lieu of a cash grant if the voucher is available. The department will establish the dollar value of the housing voucher. The dollar value may differ from the value of the cash grant. Persons receiving a housing voucher under this section will also receive a \$50 monthly stipend.

The Department of Commerce must determine whether there is sufficient housing available for this population. If there is insufficient housing available, disability lifeline applicants will receive a cash grant in lieu of a housing voucher until such time as the department determines there is sufficient housing available.

If the recipient refuses to participate in the housing program, DSHS must terminate the stipend but cannot terminate the recipient's medical benefits subject to the time limit established in the bill.

Time Limits. Beginning September 1, 2010, no person currently receiving or becomes eligible to receive disability lifeline benefits will be eligible to receive benefits under this program for more than 24 months in a 5-year period. These time limits expire on June 30, 2013. Months during which the person received benefits under the expedited portion of the disability lifeline or general assistance program or under the aged, blind, or disabled disability lifeline or general assistance portion of the program do not count towards the time

limit. On or before July 1, 2010, DSHS must review all persons who have received disability lifeline benefits or general assistance benefits for at least 12 months as of that date. The review should determine whether the person meets the federal supplemental security income disability standard and if the person does not meet that standard whether the receipt of additional services would lead to employability. If a need for additional services is identified, DSHS must provide case management services that will assist the persons access to needed services.

This time limit may be modified to 18 months in a 36-month period if the following conditions are met as determined by the Washington Institute for Public Policy:

- DSHS is consistently reviewing cases of all persons who have received disability lifeline benefits or general assistance unemployable benefits for 12 months in a timely manner; and
- The performance goals in the performance based contracts with the providers of the Early SSI Transition Project are met by both DSHS and the provider for 12 continuous months

Medical Criteria. The medical criteria to determine incapacity should recognize that the standard for incapacity is not intended to be as stringent as the federal SSI disability standards. In no case must the criteria for disability lifeline incapacity determinations be more restrictive than the disability determination standard for federal SSI.

Division of Vocational Rehabilitation. After January 1, 2011, all disability lifeline benefits recipients must be assessed to determine whether they would likely benefit from a program offered by the Division of Vocational Rehabilitation (DVR). If the assessment indicates they might benefit then the Economic Services Administration (ESA) must make a referral to DVR. If placed in a program at DVR, the recipient must participate in the program in order to maintain his or her disability lifeline benefits. If the recipient refuses to participate, then he or she is ineligible to receive the stipend and housing voucher but may continue to receive medical and food benefits.

ESA must work jointly with the DVR to develop an assessment tool which must be used to determine whether the programs offered by the DVR could assist Disability Lifeline Recipients in returning to the work force. The assessment tool must be completed no later than December 1, 2010. ESA must begin using the tool no later than January 1, 2011. No later than December 30, 2011, DSHS must report on the use of the tool and whether the programs offered by the DVR have been successful in returning disability lifeline recipients to the work force.

As part of the application process for disability lifeline benefits, the department must ask every applicant whether he or she ever served in the U.S. military. If so, the department must confer with the state or federal Department of Veterans Affairs to determine whether the applicant is eligible for any benefits or programs offered to veterans either through the state or federal government.

Early SSI Transition Project (ESTP). DSHS is to implement the ESTP starting in King, Pierce, and Spokane counties no later than July 1, 2010, and expanding statewide no later than October 1, 2011. The project is to be implemented through performance-based

contracts with managed health care systems providing medical care services or other qualified entities. The contracts must contain the following performance goals:

- Persons receiving disability lifeline benefits should be screened within 30 days of entering the program to determine the propriety of their transfer to the disability lifeline expedited program; and
- 75 percent of persons receiving disability lifeline benefits that are likely to qualify for SSI are to be transferred to the expedited program within four months of their application for benefits.

The initial focus of the efforts of the ESTP must be on persons who have been receiving benefits for 12 or more months as of September 1, 2010. No later than December 1, 2011, DSHS is to report to the Governor and the Legislature on whether the ESTP goals were met.

Basic Health Plan Enrollment. Individuals who have lost eligibility for Disability Lifeline Program benefits due to improvements in their health status and who are eligible for subsidized basic health coverage must be given high priority for enrollment in the Basic Health Plan.

Access to Chemical Dependency Treatment. If DSHS or an entity that has contracted with DSHS to provide medical care services to Disability Lifeline Program clients determines that chemical dependency treatment is necessary to improve his or her health status for transition to employment or transition to federal disability benefits, DSHS or the contracting entity must give the client high priority to enroll in chemical dependency treatment within funds appropriated for chemical dependency treatment. The first priority goes to pregnant women and parents. This requirement expires on June 30, 2013.

Section 2 is contingent on private funding being available.

Appropriation: None.

Fiscal Note: Available on the original bill.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.