

# SENATE BILL REPORT

## SB 6024

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As Reported by Senate Committee On:  
Human Services & Corrections, February 23, 2009

**Title:** An act relating to applications for public assistance from persons currently ineligible to receive assistance.

**Brief Description:** Addressing applications for public assistance from persons currently ineligible to receive assistance.

**Sponsors:** Senators Brandland, Hargrove, McAuliffe, Stevens and Carrell.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/20/09, 2/23/09 [DPS].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 6024 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Kauffman and McAuliffe.

**Staff:** Kevin Black (786-7747)

**Background:** The state provides public assistance to persons in the state of Washington who meet income requirements and other eligibility criteria. Medical assistance is a form of public assistance, and is supported by programs which provide federal matching funds, such as Medicaid. Federal matching funds cannot be used to provide medical assistance to a person who is in the custody of a jail, prison, or secure mental health facility with more than 16 beds. State law also prohibits providing public assistance to persons residing in these institutions.

State law prohibits a person who is not currently eligible for public assistance from applying for public assistance unless the person can show that he or she will become eligible within 45 days. This is known as the "45 day rule."

Jail detainees whose cases have not been adjudicated do not have an established release date from custody, although jail stays are typically short. The 45 day rule has been applied to

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prevent jail detainees from applying for public assistance following release from custody when the jail detainee does not have an established release date.

**Summary of Bill (Recommended Substitute):** A person who is not currently eligible for public assistance may apply for public assistance when the date at which the person will become eligible is either unknown or further than 45 days away. Public assistance may not be provided to a person while the person is residing in a jail, prison, or other public institution as the term is defined in chapter 74.08 RCW. This act has an effective date of November 1, 2009.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Substitute):** An effective date was added.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill takes effect on November 1, 2009.

**Staff Summary of Public Testimony on Original Bill:** PRO: This bill is part of my continuing quest to deal with issues related to persons with mental illnesses in the jails. I would like to see several improvements, including suspension of Medicaid services for these individuals. This is a step in the right direction, as it will allow people to start down the road of applying for Medicaid services prior to their release from custody. This legislation gets rid of an arbitrary rule which gets in the way of good sense practices.

**Persons Testifying:** PRO: Senator Brandland, prime sponsor.