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**SECOND SUBSTITUTE HOUSE BILL 2782**

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**State of Washington**

**61st Legislature**

**2010 Regular Session**

**By** House Ways & Means (originally sponsored by Representatives Dickerson, Appleton, McCoy, Carlyle, Morrell, Kagi, Kessler, Green, Ericks, Moeller, Roberts, Nelson, and Orwall)

READ FIRST TIME 02/09/10.

1           AN ACT Relating to establishing the security lifeline act; amending  
2 RCW 74.04.005, 10.101.010, 26.19.071, 31.04.540, 70.123.110, 73.08.005,  
3 74.04.0052, 74.04.120, 74.04.230, 74.04.266, 74.04.620, 74.04.770,  
4 74.08.043, 74.08.278, 74.08.335, 74.08A.210, 74.09.010, 74.09.035,  
5 74.09.555, and 74.50.060; reenacting and amending RCW 13.34.030; adding  
6 new sections to chapter 74.04 RCW; adding a new section to chapter  
7 70.47 RCW; adding a new section to chapter 70.96A RCW; adding a new  
8 section to chapter 74.08A RCW; creating new sections; providing an  
9 effective date; providing an expiration date; and declaring an  
10 emergency.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

12           NEW SECTION. **Sec. 1.** INTENT. (1) The legislature finds that low-  
13 income families and individuals often face significant barriers to  
14 receiving the services and benefits that they are qualified to receive.  
15 These services are essential to meeting individuals' basic needs, and  
16 provide critical support to low-income individuals who are working or  
17 who have disabilities that prevent them from working. The legislature  
18 further finds that each year millions of federal dollars go unclaimed

1 due to underutilization of benefits such as tax credits, health care  
2 coverage, and food support.

3 (2) The legislature also finds that access to education and  
4 training gives low-income individuals and families the opportunity to  
5 acquire the skills they need to become successfully employed and attain  
6 self-sufficiency.

7 (3) The legislature finds that state agencies have been engaged in  
8 an effort to implement an online benefit portal to simplify and  
9 streamline access to state, federal, and local benefits that include a  
10 broad array of public benefits. The legislature also finds that  
11 agencies have been engaged in efforts to increase access to training  
12 and education for recipients of federal food assistance.

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

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

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

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

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

1 (c) Ensure that the portal provides access to a broad array of  
2 state, federal, and local services, including but not limited to:  
3 Health care services, higher education financial aid, tax credits,  
4 civic engagement, nutrition assistance, energy assistance, family  
5 support, and disability lifeline benefits as defined in sections 4  
6 through 11 of this act;

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

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

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

21 (g) Determine the solution and acquisition approach by June 1,  
22 2010.

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

29 (3) The department shall develop a plan for implementing paperless  
30 application processes for the services included in the opportunity  
31 portal with a goal of achieving the transition by July 1, 2012. The  
32 plan must comply with federal statutes and regulations. The department  
33 shall provide this plan to the relevant legislative committees by  
34 November 15, 2011.

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

37 **FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM.** (1) The department,

1 the employment security department, and the state board for community  
2 and technical colleges shall work in partnership to expand the food  
3 stamp employment and training program. Subject to federal approval,  
4 the program shall be expanded to three additional community colleges in  
5 2010 and shall expand capacity at participating colleges. To the  
6 greatest extent possible, expansion shall be geographically diverse.  
7 The agencies shall:

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

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

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

24 (3) The department shall annually track and report outcomes  
25 including: Federal funding received, the number of participants  
26 served, achievement points, the number of participants who enter  
27 employment during or after participation in the food stamp employment  
28 and training program, and the average wage of jobs attained. The  
29 report shall be submitted to the governor and appropriate committees of  
30 the legislature on November 1st of each year, beginning in 2010.

31 (4) For purposes of this section, "food stamp employment and  
32 training program" refers to a program established and administered  
33 through the employment security department and the department of social  
34 and health services.

35 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.04 RCW  
36 to read as follows:

1           DISABILITY LIFELINE. (1) The disability lifeline program is hereby  
2 established to provide aid and support to persons who:

3           (a) Are not eligible to receive federal aid assistance, other than  
4 basic food benefits transferred electronically and medical assistance;

5           (b) Meet one of the following conditions:

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

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

12           (c) Are citizens or aliens lawfully admitted for permanent  
13 residence or otherwise residing in the United States under color of  
14 law;

15           (d) Have furnished the department their social security number. If  
16 the social security number cannot be furnished because it has not been  
17 issued or is not known, an application for a number shall be made prior  
18 to authorization of assistance, and the social security number shall be  
19 provided to the department upon receipt; and

20           (e) Have not refused or failed without good cause to participate in  
21 drug or alcohol treatment if an assessment by a certified chemical  
22 dependency counselor indicates a need for such treatment. Good cause  
23 must be found to exist when a person's physical or mental condition, as  
24 determined by the department, prevents the person from participating in  
25 drug or alcohol dependency treatment, or when drug or alcohol treatment  
26 is not available to the person in the county of his or her residence.

27           (2) The following persons are not eligible for the disability  
28 lifeline program:

29           (a) Persons who are unemployable due primarily to alcohol or drug  
30 addiction. These persons shall be referred to appropriate assessment,  
31 treatment, shelter, or supplemental security income referral services  
32 as authorized under chapter 74.50 RCW. Referrals shall be made at the  
33 time of application or at the time of eligibility review. This  
34 subsection shall not be construed to prohibit the department from  
35 granting general assistance benefits to alcoholics and drug addicts who  
36 are incapacitated due to other physical or mental conditions that meet  
37 the eligibility criteria for the general assistance program;

1 (b) Persons who refuse or fail to cooperate in obtaining federal  
2 aid assistance, without good cause.

3 (3) Disability lifeline benefits shall be provided only to persons  
4 who are not members of assistance units receiving federal aid  
5 assistance, except as provided in subsection (1)(a) of this section,  
6 and will accept available services that can reasonably be expected to  
7 enable the person to work or reduce the need for assistance unless  
8 there is good cause to refuse. Failure to accept such services shall  
9 result in termination until the person agrees to cooperate in accepting  
10 such services and subject to the following maximum periods of  
11 ineligibility after reapplication:

12 (a) First failure: One week;

13 (b) Second failure within six months: One month;

14 (c) Third and subsequent failure within one year: Two months.

15 (4) Persons found eligible for disability lifeline benefits based  
16 on incapacity from gainful employment may, if otherwise eligible,  
17 receive disability lifeline benefits pending application for federal  
18 supplemental security income benefits. Any disability lifeline benefit  
19 that is subsequently duplicated by the person's receipt of supplemental  
20 security income for the same period shall be considered a debt due the  
21 state and shall by operation of law be subject to recovery through all  
22 available legal remedies.

23 (5) For purposes of determining whether a person is incapacitated  
24 from gainful employment under subsection (1)(a) of this section:

25 (a) The department shall adopt by rule medical criteria for  
26 disability lifeline incapacity determinations to ensure that  
27 eligibility decisions are consistent with statutory requirements and  
28 are based on clear, objective medical information; and

29 (b) The process implementing the medical criteria shall involve  
30 consideration of opinions of the treating or consulting physicians or  
31 health care professionals regarding incapacity, and any eligibility  
32 decision which rejects uncontroverted medical opinion must set forth  
33 clear and convincing reasons for doing so.

34 (6) Persons receiving disability lifeline benefits based upon a  
35 finding of incapacity from gainful employment who remain otherwise  
36 eligible shall have their benefits discontinued unless the recipient  
37 demonstrates no material improvement in their medical or mental

1 condition. The department may discontinue benefits when there was  
2 specific error in the prior determination that found the recipient  
3 eligible by reason of incapacitation.

4 (7) The department, directly or by contract, shall review available  
5 medical evidence, functional assessments and other relevant information  
6 to determine whether a disability lifeline applicant or recipient is  
7 likely eligible for federal supplemental security income benefits, with  
8 a goal of making this determination within ninety days of each  
9 individual's initial application for disability lifeline benefits.  
10 Individuals who are transitioned to disability lifeline expedited  
11 benefits as a result of the review of available information must be  
12 provided with assistance to obtain any needed additional evidence of  
13 their disability expeditiously and to successfully complete their  
14 application for supplemental security income benefits. These  
15 individuals also should be transitioned to medicaid coverage as  
16 appropriate. Beginning December 1, 2010, and every six months  
17 thereafter, the department must report to the relevant policy and  
18 fiscal committees of the legislature on their progress towards meeting  
19 the ninety-day goal established in this subsection.

20 (8) No person may be considered an eligible individual for  
21 disability lifeline benefits with respect to any month if during that  
22 month the person:

23 (a) Is fleeing to avoid prosecution of, or to avoid custody or  
24 confinement for conviction of, a felony, or an attempt to commit a  
25 felony, under the laws of the state of Washington or the place from  
26 which the person flees; or

27 (b) Is violating a condition of probation, community supervision,  
28 or parole imposed under federal or state law for a felony or gross  
29 misdemeanor conviction.

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

32 **DISABILITY LIFELINE MANAGED CARE TRANSITION PILOT PROJECT.** (1) To  
33 determine whether the efficiency and effectiveness of processes for  
34 transitioning persons receiving disability lifeline benefits to  
35 disability lifeline expedited benefits, and then to federal  
36 supplemental security income benefits can be improved, the department  
37 shall implement a pilot project in King, Pierce, and Spokane counties.

1 The pilot project shall be implemented through a contract with a  
2 managed health care system providing medical care services under RCW  
3 74.09.035. In the design of the pilot project:

4 (a) The managed health care system shall be responsible for:

5 (i) Systematically screening persons receiving disability lifeline  
6 benefits at the point of eligibility determination or shortly  
7 thereafter;

8 (ii) Management of disability lifeline incapacity evaluation  
9 examinations to provide timely access to needed medical and behavioral  
10 health evaluations and standardizing health care providers' conduct of  
11 incapacity evaluations;

12 (iii) Maintenance of a centralized appointment and clinical data  
13 system; and

14 (iv) Assisting persons receiving disability lifeline benefits with  
15 obtaining additional medical or behavioral health examinations needed  
16 to meet the disability standard for disability lifeline expedited or  
17 federal supplemental security income benefits and with submission of  
18 applications for supplemental security income benefits.

19 (b) The department shall be responsible for:

20 (i) Determining incapacity and eligibility for disability lifeline  
21 benefits;

22 (ii) Developing standardized procedures for sharing data and  
23 information with the managed health care system to ensure timely  
24 identification of clients who have not qualified for disability  
25 lifeline expedited benefits within ninety days of application. This  
26 should include but not be limited to providing access to data in the  
27 department's predictive modeling database;

28 (iii) Including functional assessments in disability lifeline  
29 expedited and federal supplemental security income consultative exams;

30 (iv) Providing case management and coordination of care, in  
31 partnership with the managed health care system, to support persons'  
32 transition to disability lifeline expedited and federal supplemental  
33 security income benefits; and

34 (v) Identifying a savings determination methodology, in  
35 consultation with the managed health care system, the office of  
36 financial management, and the legislature, on or before implementation  
37 of the project.



1 (2) The pilot project is authorized to operate for the period of  
2 July 1, 2010, through June 30, 2013. If the savings associated with  
3 more rapid transitions to disability lifeline expedited and federal  
4 supplemental security benefits do not exceed the costs of the pilot  
5 project by July 1, 2012, the department may terminate the project  
6 before June 30, 2013.

7 NEW SECTION. **Sec. 6.** A new section is added to chapter 70.47 RCW  
8 to read as follows:

9 BASIC HEALTH PLAN ENROLLMENT. In order to ensure continuity of  
10 health care coverage and avoid deterioration in health status,  
11 individuals who have lost eligibility for disability lifeline benefits  
12 under section 4 of this act due to improvement in their health status  
13 and who are eligible for subsidized basic health coverage shall be  
14 given priority for enrollment in the basic health plan. If the  
15 administrator closes or limits subsidized enrollment, to the extent  
16 funding is available, the basic health plan must continue to accept and  
17 process applications for subsidized enrollment from individuals  
18 described in this section.

19 NEW SECTION. **Sec. 7.** A new section is added to chapter 70.96A RCW  
20 to read as follows:

21 ACCESS TO CHEMICAL DEPENDENCY TREATMENT. If an assessment by a  
22 certified chemical dependency counselor indicates a need for drug or  
23 alcohol treatment, in order to enable a client to improve his or her  
24 health status and transition from disability lifeline benefits to  
25 employment, or transition to federal disability benefits, the client  
26 must be given high priority for enrollment in treatment, within funds  
27 appropriated for that treatment. However, first priority for receipt  
28 of treatment services must be given to pregnant women and parents of  
29 young children. This section expires June 30, 2013.

30 NEW SECTION. **Sec. 8.** A new section is added to chapter 74.04 RCW  
31 to read as follows:

32 PERMANENT HOUSING PILOT PROGRAM. The department, in collaboration  
33 with the entity that has contracted with the department to provide  
34 medical care services to disability lifeline clients, nonprofit housing  
35 providers, and interested community-based organizations, shall submit

1 an implementation plan for a pilot program in up to two counties under  
2 which homeless persons eligible for disability lifeline benefits will  
3 receive housing services and a reduced monthly cash stipend, rather  
4 than the full disability lifeline cash benefit. The plan must be  
5 submitted to the governor and relevant policy and fiscal committees of  
6 the legislature on or before November 15, 2010. If funding to  
7 establish a pilot program as described in this section becomes  
8 available before November 2010, the department and its collaborating  
9 organizations may move forward with implementation and shall provide a  
10 progress report to the legislature on or before November 15, 2010.

11 **Sec. 9.** RCW 74.04.005 and 2003 1st sp.s. c 10 s 1 are each amended  
12 to read as follows:

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

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

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

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

22 (4) "Director" or "secretary" means the secretary of social and  
23 health services.

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

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

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

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

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

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

8       ~~(C) Persons who are unemployable due to alcohol or drug addiction~~  
9 ~~are not eligible for general assistance. Persons receiving general~~  
10 ~~assistance on July 26, 1987, or becoming eligible for such assistance~~  
11 ~~thereafter, due to an alcohol or drug-related incapacity, shall be~~  
12 ~~referred to appropriate assessment, treatment, shelter, or supplemental~~  
13 ~~security income referral services as authorized under chapter 74.50~~  
14 ~~RCW. Referrals shall be made at the time of application or at the time~~  
15 ~~of eligibility review. Alcoholic and drug addicted clients who are~~  
16 ~~receiving general assistance on July 26, 1987, may remain on general~~  
17 ~~assistance if they otherwise retain their eligibility until they are~~  
18 ~~assessed for services under chapter 74.50 RCW. Subsection~~  
19 ~~(6)(a)(ii)(B) of this section shall not be construed to prohibit the~~  
20 ~~department from granting general assistance benefits to alcoholics and~~  
21 ~~drug addicts who are incapacitated due to other physical or mental~~  
22 ~~conditions that meet the eligibility criteria for the general~~  
23 ~~assistance program;~~

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

27       ~~(iv) Have furnished the department their social security account~~  
28 ~~number. If the social security account number cannot be furnished~~  
29 ~~because it has not been issued or is not known, an application for a~~  
30 ~~number shall be made prior to authorization of assistance, and the~~  
31 ~~social security number shall be provided to the department upon~~  
32 ~~receipt.~~

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

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

1       ~~(ii) To the extent authorized by the legislature in the biennial~~  
2 ~~appropriations act, to recipients of temporary assistance for needy~~  
3 ~~families whose needs are not being met because of a temporary reduction~~  
4 ~~in monthly income below the entitled benefit payment level caused by~~  
5 ~~loss or reduction of wages or unemployment compensation benefits or~~  
6 ~~some other unforeseen circumstances. The amount of general assistance~~  
7 ~~authorized shall not exceed the difference between the entitled benefit~~  
8 ~~payment level and the amount of income actually received.~~

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

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

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

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

21       ~~(d) Persons found eligible for general assistance based on~~  
22 ~~incapacity from gainful employment may, if otherwise eligible, receive~~  
23 ~~general assistance pending application for federal supplemental~~  
24 ~~security income benefits. Any general assistance that is subsequently~~  
25 ~~duplicated by the person's receipt of supplemental security income for~~  
26 ~~the same period shall be considered a debt due the state and shall by~~  
27 ~~operation of law be subject to recovery through all available legal~~  
28 ~~remedies.~~

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

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

1 ~~(g) Recipients of general assistance based upon a finding of~~  
2 ~~incapacity from gainful employment who remain otherwise eligible shall~~  
3 ~~have their benefits discontinued unless the recipient demonstrates no~~  
4 ~~material improvement in their medical or mental condition. The~~  
5 ~~department may discontinue benefits when there was specific error in~~  
6 ~~the prior determination that found the recipient eligible by reason of~~  
7 ~~incapacitation. Recipients of general assistance based upon pregnancy~~  
8 ~~who relinquish their child for adoption, remain otherwise eligible, and~~  
9 ~~are not eligible to receive benefits under the federal temporary~~  
10 ~~assistance for needy families program shall not have their benefits~~  
11 ~~terminated until the end of the month in which the period of six weeks~~  
12 ~~following the birth of the recipient's child falls. Recipients of the~~  
13 ~~federal temporary assistance for needy families program who lose their~~  
14 ~~eligibility solely because of the birth and relinquishment of the~~  
15 ~~qualifying child may receive general assistance through the end of the~~  
16 ~~month in which the period of six weeks following the birth of the child~~  
17 ~~falls.~~

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

20 ~~(i) Is fleeing to avoid prosecution of, or to avoid custody or~~  
21 ~~confinement for conviction of, a felony, or an attempt to commit a~~  
22 ~~felony, under the laws of the state of Washington or the place from~~  
23 ~~which the person flees; or~~

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

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

30 ~~((8)) (7) "Recipient"--Any person receiving assistance and in~~  
31 ~~addition those dependents whose needs are included in the recipient's~~  
32 ~~assistance.~~

33 ~~((9)) (8) "Standards of assistance"--The level of income required~~  
34 ~~by an applicant or recipient to maintain a level of living specified by~~  
35 ~~the department.~~

36 ~~((10)) (9) "Resource"--Any asset, tangible or intangible, owned~~  
37 ~~by or available to the applicant at the time of application, which can~~  
38 ~~be applied toward meeting the applicant's need, either directly or by~~

1 conversion into money or its equivalent. The department may by rule  
2 designate resources that an applicant may retain and not be ineligible  
3 for public assistance because of such resources. Exempt resources  
4 shall include, but are not limited to:

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

7 (b) Household furnishings and personal effects;

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

10 (d) A motor vehicle necessary to transport a (~~physically~~  
11 ~~disabled~~) household member with a physical disability. This exclusion  
12 is limited to one vehicle per (~~physically disabled~~) person with a  
13 physical disability;

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

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

25 (g) If an applicant for or recipient of public assistance possesses  
26 property and belongings in excess of the ceiling value, such value  
27 shall be used in determining the need of the applicant or recipient,  
28 except that: (i) The department may exempt resources or income when  
29 the income and resources are determined necessary to the applicant's or  
30 recipient's restoration to independence, to decrease the need for  
31 public assistance, or to aid in rehabilitating the applicant or  
32 recipient or a dependent of the applicant or recipient; and (ii) the  
33 department may provide grant assistance for a period not to exceed nine  
34 months from the date the agreement is signed pursuant to this section  
35 to persons who are otherwise ineligible because of excess real property  
36 owned by such persons when they are making a good faith effort to  
37 dispose of that property: PROVIDED, That:

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

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

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

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

13 ~~((+11+))~~ (10) "Income"--(a) All appreciable gains in real or  
14 personal property (cash or kind) or other assets, which are received by  
15 or become available for use and enjoyment by an applicant or recipient  
16 during the month of application or after applying for or receiving  
17 public assistance. The department may by rule and regulation exempt  
18 income received by an applicant for or recipient of public assistance  
19 which can be used by him or her to decrease his or her need for public  
20 assistance or to aid in rehabilitating him or her or his or her  
21 dependents, but such exemption shall not, unless otherwise provided in  
22 this title, exceed the exemptions of resources granted under this  
23 chapter to an applicant for public assistance. In addition, for cash  
24 assistance the department may disregard income pursuant to RCW  
25 74.08A.230 and 74.12.350.

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

31 ~~((+12+))~~ (11) "Need"--The difference between the applicant's or  
32 recipient's standards of assistance for himself or herself and the  
33 dependent members of his or her family, as measured by the standards of  
34 the department, and value of all nonexempt resources and nonexempt  
35 income received by or available to the applicant or recipient and the  
36 dependent members of his or her family.

37 (12) "Disability lifeline program" means the program established in  
38 section 4 of this act.

1 (13) For purposes of determining eligibility for public assistance  
2 and participation levels in the cost of medical care, the department  
3 shall exempt restitution payments made to people of Japanese and Aleut  
4 ancestry pursuant to the Civil Liberties Act of 1988 and the Aleutian  
5 and Pribilof Island Restitution Act passed by congress, P.L. 100-383,  
6 including all income and resources derived therefrom.

7 (14) In the construction of words and phrases used in this title,  
8 the singular number shall include the plural, the masculine gender  
9 shall include both the feminine and neuter genders and the present  
10 tense shall include the past and future tenses, unless the context  
11 thereof shall clearly indicate to the contrary.

12 **Sec. 10.** RCW 10.101.010 and 1998 c 79 s 2 are each amended to read  
13 as follows:

14 The following definitions shall be applied in connection with this  
15 chapter:

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

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

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

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

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

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

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



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

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

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

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

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

25 **Sec. 11.** RCW 13.34.030 and 2009 c 520 s 21 and 2009 c 397 s 1 are  
26 each reenacted and amended to read as follows:

27 For purposes of this chapter:

28 (1) "Abandoned" means when the child's parent, guardian, or other  
29 custodian has expressed, either by statement or conduct, an intent to  
30 forego, for an extended period, parental rights or responsibilities  
31 despite an ability to exercise such rights and responsibilities. If  
32 the court finds that the petitioner has exercised due diligence in  
33 attempting to locate the parent, no contact between the child and the  
34 child's parent, guardian, or other custodian for a period of three  
35 months creates a rebuttable presumption of abandonment, even if there  
36 is no expressed intent to abandon.

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

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

10 (4) "Department" means the department of social and health  
11 services.

12 (5) "Dependency guardian" means the person, nonprofit corporation,  
13 or Indian tribe appointed by the court pursuant to this chapter for the  
14 limited purpose of assisting the court in the supervision of the  
15 dependency.

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

17 (a) Has been abandoned;

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

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

24 (7) "Developmental disability" means a disability attributable to  
25 mental retardation, cerebral palsy, epilepsy, autism, or another  
26 neurological or other condition of an individual found by the secretary  
27 to be closely related to mental retardation or to require treatment  
28 similar to that required for individuals with mental retardation, which  
29 disability originates before the individual attains age eighteen, which  
30 has continued or can be expected to continue indefinitely, and which  
31 constitutes a substantial handicap to the individual.

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

1 (9) "Guardian ad litem" means a person, appointed by the court to  
2 represent the best interests of a child in a proceeding under this  
3 chapter, or in any matter which may be consolidated with a proceeding  
4 under this chapter. A "court-appointed special advocate" appointed by  
5 the court to be the guardian ad litem for the child, or to perform  
6 substantially the same duties and functions as a guardian ad litem,  
7 shall be deemed to be guardian ad litem for all purposes and uses of  
8 this chapter.

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

16 (11) "Housing assistance" means appropriate referrals by the  
17 department or other supervising agencies to federal, state, local, or  
18 private agencies or organizations, assistance with forms, applications,  
19 or financial subsidies or other monetary assistance for housing. For  
20 purposes of this chapter, "housing assistance" is not a remedial  
21 service or time-limited family reunification service as described in  
22 RCW 13.34.025(2).

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

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; or

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

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

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

36 (13) "Out-of-home care" means placement in a foster family home or  
37 group care facility licensed pursuant to chapter 74.15 RCW or placement

1 in a home, other than that of the child's parent, guardian, or legal  
2 custodian, not required to be licensed pursuant to chapter 74.15 RCW.

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

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

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

14 (17) "Social study" means a written evaluation of matters relevant  
15 to the disposition of the case and shall contain the following  
16 information:

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

19 (b) A description of the specific services and activities, for both  
20 the parents and child, that are needed in order to prevent serious harm  
21 to the child; the reasons why such services and activities are likely  
22 to be useful; the availability of any proposed services; and the  
23 agency's overall plan for ensuring that the services will be delivered.  
24 The description shall identify the services chosen and approved by the  
25 parent;

26 (c) If removal is recommended, a full description of the reasons  
27 why the child cannot be protected adequately in the home, including a  
28 description of any previous efforts to work with the parents and the  
29 child in the home; the in-home treatment programs that have been  
30 considered and rejected; the preventive services, including housing  
31 assistance, that have been offered or provided and have failed to  
32 prevent the need for out-of-home placement, unless the health, safety,  
33 and welfare of the child cannot be protected adequately in the home;  
34 and the parents' attitude toward placement of the child;

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

37 (e) A description of the steps that will be taken to minimize the  
38 harm to the child that may result if separation occurs including an

1 assessment of the child's relationship and emotional bond with any  
2 siblings, and the agency's plan to provide ongoing contact between the  
3 child and the child's siblings if appropriate; and

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

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

10 **Sec. 12.** RCW 26.19.071 and 2009 c 84 s 3 are each amended to read  
11 as follows:

12 (1) **Consideration of all income.** All income and resources of each  
13 parent's household shall be disclosed and considered by the court when  
14 the court determines the child support obligation of each parent. Only  
15 the income of the parents of the children whose support is at issue  
16 shall be calculated for purposes of calculating the basic support  
17 obligation. Income and resources of any other person shall not be  
18 included in calculating the basic support obligation.

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

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

- 26 (a) Salaries;
- 27 (b) Wages;
- 28 (c) Commissions;
- 29 (d) Deferred compensation;
- 30 (e) Overtime, except as excluded for income in subsection (4)(h) of  
31 this section;
- 32 (f) Contract-related benefits;
- 33 (g) Income from second jobs, except as excluded for income in  
34 subsection (4)(h) of this section;
- 35 (h) Dividends;
- 36 (i) Interest;
- 37 (j) Trust income;

- 1 (k) Severance pay;
- 2 (l) Annuities;
- 3 (m) Capital gains;
- 4 (n) Pension retirement benefits;
- 5 (o) Workers' compensation;
- 6 (p) Unemployment benefits;
- 7 (q) Maintenance actually received;
- 8 (r) Bonuses;
- 9 (s) Social security benefits;
- 10 (t) Disability insurance benefits; and
- 11 (u) Income from self-employment, rent, royalties, contracts,
- 12 proprietorship of a business, or joint ownership of a partnership or
- 13 closely held corporation.

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

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

30 Receipt of income and resources from temporary assistance for needy  
31 families, supplemental security income, (~~general assistance~~)  
32 disability lifeline benefits, and food stamps shall not be a reason to  
33 deviate from the standard calculation.

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

- 37 (a) Federal and state income taxes;
- 38 (b) Federal insurance contributions act deductions;

1 (c) Mandatory pension plan payments;

2 (d) Mandatory union or professional dues;

3 (e) State industrial insurance premiums;

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

5 (g) Up to five thousand dollars per year in voluntary retirement  
6 contributions actually made if the contributions show a pattern of  
7 contributions during the one-year period preceding the action  
8 establishing the child support order unless there is a determination  
9 that the contributions were made for the purpose of reducing child  
10 support; and

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

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

16 (6) **Imputation of income.** The court shall impute income to a  
17 parent when the parent is voluntarily unemployed or voluntarily  
18 underemployed. The court shall determine whether the parent is  
19 voluntarily underemployed or voluntarily unemployed based upon that  
20 parent's work history, education, health, and age, or any other  
21 relevant factors. A court shall not impute income to a parent who is  
22 gainfully employed on a full-time basis, unless the court finds that  
23 the parent is voluntarily underemployed and finds that the parent is  
24 purposely underemployed to reduce the parent's child support  
25 obligation. Income shall not be imputed for an unemployable parent.  
26 Income shall not be imputed to a parent to the extent the parent is  
27 unemployed or significantly underemployed due to the parent's efforts  
28 to comply with court-ordered reunification efforts under chapter 13.34  
29 RCW or under a voluntary placement agreement with an agency supervising  
30 the child. In the absence of records of a parent's actual earnings,  
31 the court shall impute a parent's income in the following order of  
32 priority:

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

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

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

1 (d) Full-time earnings at minimum wage in the jurisdiction where  
2 the parent resides if the parent has a recent history of minimum wage  
3 earnings, is recently coming off public assistance, (~~general~~  
4 ~~assistance-unemployable~~) disability lifeline benefits, supplemental  
5 security income, or disability, has recently been released from  
6 incarceration, or is a high school student;

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

11 **Sec. 13.** RCW 31.04.540 and 2009 c 149 s 8 are each amended to read  
12 as follows:

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

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

23 (3) This section applies to any law or program relating to  
24 payments, allowances, benefits, or services provided on a means-tested  
25 basis by this state including, but not limited to, optional state  
26 supplements to the federal supplemental security income program, low-  
27 income energy assistance, property tax relief, (~~general-assistance~~)  
28 disability lifeline benefits, and medical assistance only to the extent  
29 this section does not conflict with Title 19 of the federal social  
30 security act.

31 **Sec. 14.** RCW 70.123.110 and 1997 c 59 s 9 are each amended to read  
32 as follows:

33 (~~General-assistance~~) Disability lifeline benefits or temporary  
34 assistance for needy families payments shall be made to otherwise  
35 eligible individuals who are residing in a secure shelter, a housing  
36 network or other shelter facility which provides shelter services to



1 persons who are victims of domestic violence. Provisions shall be made  
2 by the department for the confidentiality of the shelter addresses  
3 where victims are residing.

4 **Sec. 15.** RCW 73.08.005 and 2009 c 35 s 1 are each amended to read  
5 as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

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

12 (2) "Family" means the spouse or domestic partner, surviving  
13 spouse, surviving domestic partner, and dependent children of a living  
14 or deceased veteran.

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

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

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

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

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

1 (5) "Veteran" has the same meaning as defined in RCW 41.04.005 and  
2 41.04.007, and includes a current member of the national guard or armed  
3 forces reserves who has been deployed to serve in an armed conflict.

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

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

10 (8) "Veterans' assistance program" means a program approved by the  
11 county legislative authority under the authority of RCW 73.08.010 that  
12 is fully or partially funded by the veterans' assistance fund  
13 authorized by RCW 73.08.080.

14 **Sec. 16.** RCW 74.04.0052 and 1997 c 58 s 502 are each amended to  
15 read as follows:

16 (1) The department shall determine, after consideration of all  
17 relevant factors and in consultation with the applicant, the most  
18 appropriate living situation for applicants under eighteen years of  
19 age, unmarried, and pregnant who are eligible for (~~general assistance~~  
20 ~~as defined in RCW 74.04.005(6)(a)(ii)(A))~~ disability lifeline  
21 benefits. An appropriate living situation shall include a place of  
22 residence that is maintained by the applicant's parents, parent, legal  
23 guardian, or other adult relative as their or his or her own home and  
24 that the department finds would provide an appropriate supportive  
25 living arrangement. It also includes a living situation maintained by  
26 an agency that is licensed under chapter 74.15 RCW that the department  
27 finds would provide an appropriate supportive living arrangement.  
28 Grant assistance shall not be provided under this chapter if the  
29 applicant does not reside in the most appropriate living situation, as  
30 determined by the department.

31 (2) A pregnant minor residing in the most appropriate living  
32 situation, as provided under subsection (1) of this section, is  
33 presumed to be unable to manage adequately the funds paid to the minor  
34 or on behalf of the dependent child or children and, unless the minor  
35 provides sufficient evidence to rebut the presumption, shall be subject  
36 to the protective payee requirements provided for under RCW 74.12.250  
37 and 74.08.280.

1 (3) The department shall consider any statements or opinions by  
2 either parent of the unmarried minor parent or pregnant minor applicant  
3 as to an appropriate living situation for the minor, whether in the  
4 parental home or other situation. If the parents or a parent of the  
5 minor request, they or he or she shall be entitled to a hearing in  
6 juvenile court regarding designation of the parental home or other  
7 relative placement as the most appropriate living situation for the  
8 pregnant or parenting minor.

9 The department shall provide the parents or parent with the  
10 opportunity to make a showing that the parental home, or home of the  
11 other relative placement, is the most appropriate living situation. It  
12 shall be presumed in any administrative or judicial proceeding  
13 conducted under this subsection that the parental home or other  
14 relative placement requested by the parents or parent is the most  
15 appropriate living situation. This presumption is rebuttable.

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

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

24 **Sec. 17.** RCW 74.04.120 and 1979 c 141 s 301 are each amended to  
25 read as follows:

26 Allocations of state and federal funds shall be made upon the basis  
27 of need within the respective counties as disclosed by the quarterly  
28 budgets, considered in conjunction with revenues available for the  
29 satisfaction of that need: PROVIDED, That in preparing his quarterly  
30 budget for federal aid assistance, the administrator shall include the  
31 aggregate of the individual case load approved by the department to  
32 date on the basis of need and the secretary shall approve and allocate  
33 an amount sufficient to service the aggregate case load as included in  
34 said budget, and in the event any portion of the budgeted case load  
35 cannot be serviced with moneys available for the particular category  
36 for which an application is made the committee may on the  
37 administrator's request authorize the transfer of sufficient (~~general~~

1 ~~assistance))~~ disability lifeline program funds to the appropriation for  
2 such category to service such case load and secure the benefit of  
3 federal matching funds.

4 **Sec. 18.** RCW 74.04.230 and 1982 c 204 s 16 are each amended to  
5 read as follows:

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

10 **Sec. 19.** RCW 74.04.266 and 1977 ex.s. c 215 s 1 are each amended  
11 to read as follows:

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

18 **Sec. 20.** RCW 74.04.620 and 1983 1st ex.s. c 41 s 37 are each  
19 amended to read as follows:

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

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

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

33 (4) Any agreement between the department and a supplemental  
34 security income applicant providing for the reimbursement of interim  
35 assistance to the department shall provide, if the applicant has been

1 represented by an attorney, that twenty-five percent of the  
2 reimbursement received shall be withheld by the department and all or  
3 such portion thereof as has been approved as a fee by the United States  
4 department of health and human services shall be released directly to  
5 the applicant's attorney. The secretary may maintain such records as  
6 are deemed appropriate to measure the cost and effectiveness of such  
7 agreements and may make recommendations concerning the continued use of  
8 such agreements to the legislature.

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

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

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

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

32 The department may establish a separate standard for shelter  
33 provided at no cost.

34 **Sec. 22.** RCW 74.08.043 and 1981 1st ex.s. c 6 s 12 are each  
35 amended to read as follows:

36 In determining the living requirements of otherwise eligible

1 applicants and recipients of supplemental security income and (~~general~~  
2 ~~assistance~~) disability lifeline benefits, the department is authorized  
3 to consider the need for personal and special care and supervision due  
4 to physical and mental conditions.

5 **Sec. 23.** RCW 74.08.278 and 1979 c 141 s 327 are each amended to  
6 read as follows:

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

30 **Sec. 24.** RCW 74.08.335 and 1997 c 59 s 13 are each amended to read  
31 as follows:

32 Temporary assistance for needy families and (~~general—assistance~~)  
33 disability lifeline benefits shall not be granted to any person who has  
34 made an assignment or transfer of property for the purpose of rendering  
35 himself or herself eligible for the assistance. There is a rebuttable  
36 presumption that a person who has transferred or transfers any real or

1 personal property or any interest in property within two years of the  
2 date of application for the assistance without receiving adequate  
3 monetary consideration therefor, did so for the purpose of rendering  
4 himself or herself eligible for the assistance. Any person who  
5 transfers property for the purpose of rendering himself or herself  
6 eligible for assistance, or any person who after becoming a recipient  
7 transfers any property or any interest in property without the consent  
8 of the secretary, shall be ineligible for assistance for a period of  
9 time during which the reasonable value of the property so transferred  
10 would have been adequate to meet the person's needs under normal  
11 conditions of living: PROVIDED, That the secretary is hereby  
12 authorized to allow exceptions in cases where undue hardship would  
13 result from a denial of assistance.

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

16 (1) In order to prevent some families from developing dependency on  
17 temporary assistance for needy families, the department shall make  
18 available to qualifying applicants a diversion program designed to  
19 provide brief, emergency assistance for families in crisis whose income  
20 and assets would otherwise qualify them for temporary assistance for  
21 needy families.

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

24 (a) Child care;

25 (b) Housing assistance;

26 (c) Transportation-related expenses;

27 (d) Food;

28 (e) Medical costs for the recipient's immediate family;

29 (f) Employment-related expenses which are necessary to keep or  
30 obtain paid unsubsidized employment.

31 (3) Diversion assistance is available once in each twelve-month  
32 period for each adult applicant. Recipients of diversion assistance  
33 are not included in the temporary assistance for needy families  
34 program.

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

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

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

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

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

16 **Sec. 26.** RCW 74.09.010 and 2007 c 3 s 2 are each amended to read  
17 as follows:

18 As used in this chapter:

19 (1) "Children's health program" means the health care services  
20 program provided to children under eighteen years of age and in  
21 households with incomes at or below the federal poverty level as  
22 annually defined by the federal department of health and human services  
23 as adjusted for family size, and who are not otherwise eligible for  
24 medical assistance or the limited casualty program for the medically  
25 needy.

26 (2) "Committee" means the children's health services committee  
27 created in section 3 of this act.

28 (3) "County" means the board of county commissioners, county  
29 council, county executive, or tribal jurisdiction, or its designee. A  
30 combination of two or more county authorities or tribal jurisdictions  
31 may enter into joint agreements to fulfill the requirements of RCW  
32 74.09.415 through 74.09.435.

33 (4) "Department" means the department of social and health  
34 services.

35 (5) "Department of health" means the Washington state department of  
36 health created pursuant to RCW 43.70.020.



1 (6) "Internal management" means the administration of medical  
2 assistance, medical care services, the children's health program, and  
3 the limited casualty program.

4 (7) "Limited casualty program" means the medical care program  
5 provided to medically needy persons as defined under Title XIX of the  
6 federal social security act, and to medically indigent persons who are  
7 without income or resources sufficient to secure necessary medical  
8 services.

9 (8) "Medical assistance" means the federal aid medical care program  
10 provided to categorically needy persons as defined under Title XIX of  
11 the federal social security act.

12 (9) "Medical care services" means the limited scope of care  
13 financed by state funds and provided to (~~general assistance~~)  
14 disability lifeline benefits recipients, and recipients of alcohol and  
15 drug addiction services provided under chapter 74.50 RCW.

16 (10) "Nursing home" means nursing home as defined in RCW 18.51.010.

17 (11) "Poverty" means the federal poverty level determined annually  
18 by the United States department of health and human services, or  
19 successor agency.

20 (12) "Secretary" means the secretary of social and health services.

21 (13) "Full benefit dual eligible beneficiary" means an individual  
22 who, for any month: Has coverage for the month under a medicare  
23 prescription drug plan or medicare advantage plan with part D coverage;  
24 and is determined eligible by the state for full medicaid benefits for  
25 the month under any eligibility category in the state's medicaid plan  
26 or a section 1115 demonstration waiver that provides pharmacy benefits.

27 **Sec. 27.** RCW 74.09.035 and 1987 c 406 s 12 are each amended to  
28 read as follows:

29 (1) To the extent of available funds, medical care services may be  
30 provided to recipients of (~~general assistance~~) disability lifeline  
31 benefits, and recipients of alcohol and drug addiction services  
32 provided under chapter 74.50 RCW, in accordance with medical  
33 eligibility requirements established by the department.

34 (2) Determination of the amount, scope, and duration of medical  
35 care services shall be limited to coverage as defined by the  
36 department, except that adult dental, and routine foot care shall not

1 be included unless there is a specific appropriation for these  
2 services.

3 (3) The department shall contract with one or more managed health  
4 care systems for the provision of medical care services to recipients  
5 of disability lifeline benefits. The contract must provide for  
6 integrated delivery of medical and mental health services.

7 (4) The department shall establish standards of assistance and  
8 resource and income exemptions, which may include deductibles and co-  
9 insurance provisions. In addition, the department may include a  
10 prohibition against the voluntary assignment of property or cash for  
11 the purpose of qualifying for assistance.

12 (4) Residents of skilled nursing homes, intermediate care  
13 facilities, and intermediate care facilities for the mentally retarded,  
14 as that term is described by federal law, who are eligible for medical  
15 care services shall be provided medical services to the same extent as  
16 provided to those persons eligible under the medical assistance  
17 program.

18 (5) Payments made by the department under this program shall be the  
19 limit of expenditures for medical care services solely from state  
20 funds.

21 (6) Eligibility for medical care services shall commence with the  
22 date of certification for (~~general assistance~~) disability lifeline  
23 benefits or the date of eligibility for alcohol and drug addiction  
24 services provided under chapter 74.50 RCW.

25 **Sec. 28.** RCW 74.09.555 and 2005 c 503 s 12 are each amended to  
26 read as follows:

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

34 (2) The department, in collaboration with the Washington  
35 association of sheriffs and police chiefs, the department of  
36 corrections, and the regional support networks, shall establish  
37 procedures for coordination between department field offices,

1 institutions for mental disease, and correctional institutions, as  
2 defined in RCW 9.94.049, that result in prompt reinstatement of  
3 eligibility and speedy eligibility determinations for persons who are  
4 likely to be eligible for medical assistance services upon release from  
5 confinement. Procedures developed under this subsection must address:

6 (a) Mechanisms for receiving medical assistance services  
7 applications on behalf of confined persons in anticipation of their  
8 release from confinement;

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

12 (c) Mechanisms for providing medical assistance services identity  
13 cards to persons eligible for medical assistance services immediately  
14 upon their release from confinement; and

15 (d) Coordination with the federal social security administration,  
16 through interagency agreements or otherwise, to expedite processing of  
17 applications for federal supplemental security income or social  
18 security disability benefits, including federal acceptance of  
19 applications on behalf of confined persons.

20 (3) Where medical or psychiatric examinations during a person's  
21 confinement indicate that the person is disabled, the correctional  
22 institution or institution for mental diseases shall provide the  
23 department with that information for purposes of making medical  
24 assistance eligibility and enrollment determinations prior to the  
25 person's release from confinement. The department shall, to the  
26 maximum extent permitted by federal law, use the examination in making  
27 its determination whether the person is disabled and eligible for  
28 medical assistance.

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

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

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

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

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

11 **Sec. 29.** RCW 74.50.060 and 1989 1st ex.s. c 18 s 3 are each  
12 amended to read as follows:

13 (1) The department shall establish a shelter assistance program to  
14 provide, within available funds, shelter for persons eligible under  
15 this chapter. "Shelter," "shelter support," or "shelter assistance"  
16 means a facility under contract to the department providing room and  
17 board in a supervised living arrangement, normally in a group or  
18 dormitory setting, to eligible recipients under this chapter. This may  
19 include supervised domiciliary facilities operated under the auspices  
20 of public or private agencies. No facility under contract to the  
21 department shall allow the consumption of alcoholic beverages on the  
22 premises. The department may contract with counties and cities for  
23 such shelter services. To the extent possible, the department shall  
24 not displace existing emergency shelter beds for use as shelter under  
25 this chapter. In areas of the state in which it is not feasible to  
26 develop shelters, due to low numbers of people needing shelter  
27 services, or in which sufficient numbers of shelter beds are not  
28 available, the department may provide shelter through an intensive  
29 protective payee program, unless the department grants an exception on  
30 an individual basis for less intense supervision.

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

1        NEW SECTION.    **Sec. 30.**    A new section is added to chapter 74.08A  
2    RCW to read as follows:

3        Recipients exempted from active work search activities due to  
4    incapacity or a disability shall receive disability lifeline benefits  
5    as they relate to the facilitation of enrollment in the federal  
6    supplemental security income program, access to chemical dependency  
7    treatment, referrals to vocational rehabilitation, and other services  
8    needed to assist the recipient in becoming employable.    Disability  
9    lifeline benefits shall not supplant cash assistance and other services  
10   provided through the temporary assistance for needy families program.  
11   To the greatest extent possible, services shall be funded through the  
12   temporary assistance for needy families appropriations.

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

15       NEW SECTION.    **Sec. 32.**    Except for section 7 of this act, this act  
16   is necessary for the immediate preservation of the public peace,  
17   health, or safety, or support of the state government and its existing  
18   public institutions, and takes effect immediately.

19       NEW SECTION.    **Sec. 33.**    Section 7 of this act takes effect July 1,  
20   2010.

21       NEW SECTION.    **Sec. 34.**    If private funding sufficient to implement  
22   and operate the portal authorized under section 2 of this act is not  
23   secured by December 31, 2010, section 2 of this act is null and void.

24       NEW SECTION.    **Sec. 35.**    Sections 1 through 8 and 27 of this act  
25   shall be implemented within the amounts appropriated specifically for  
26   these purposes in the omnibus operating appropriations act.

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