
SENATE BILL 6508

State of Washington

62nd Legislature

2012 Regular Session

By Senator Pridemore

Read first time 01/26/12. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to department of social and health services waivers
2 of overpayment recoveries; amending RCW 43.20B.030; and creating a new
3 section.

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

5 **Sec. 1.** RCW 43.20B.030 and 2005 c 292 s 5 are each amended to read
6 as follows:

7 (1) Except as otherwise provided by law, including subsection (2)
8 of this section, there will be no collection of overpayments and other
9 debts due the department after the expiration of six years from the
10 date of notice of such overpayment or other debt unless the department
11 has commenced recovery action in a court of law or unless an
12 administrative remedy authorized by statute is in place. However, any
13 amount due in a case thus extended shall cease to be a debt due the
14 department at the expiration of ten years from the date of the notice
15 of the overpayment or other debt unless a court-ordered remedy would be
16 in effect for a longer period.

17 (2) There will be no collection of debts due the department after
18 the expiration of twenty years from the date a lien is recorded
19 pursuant to RCW 43.20B.080.

1 (3) The department, at any time, may accept offers of compromise of
2 disputed claims or may grant partial or total write-off of any debt due
3 the department if it is no longer cost-effective to pursue. The
4 department shall adopt rules establishing the considerations to be made
5 in the granting or denial of a partial or total write-off of debts.

6 (4) Notwithstanding the requirements of RCW 43.20B.630, 43.20B.635,
7 43.20B.640, and 43.20B.645, the department may waive all efforts to
8 collect overpayments from a client when the department determines an
9 overpayment is not the fault of the client.

10 NEW SECTION. **Sec. 2.** If any part of this act is found to be in
11 conflict with federal requirements that are a prescribed condition to
12 the allocation of federal funds to the state, the conflicting part of
13 this act is inoperative solely to the extent of the conflict and with
14 respect to the agencies directly affected, and this finding does not
15 affect the operation of the remainder of this act in its application to
16 the agencies concerned. Rules adopted under this act must meet federal
17 requirements that are a necessary condition to the receipt of federal
18 funds by the state.

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