

SB 5921-S.E - DIGEST

(DIGEST AS ENACTED)

Suspends certain WorkFirst activity requirements.

Limits the receipt of temporary assistance for needy families benefits to five years.

Modifies working connections child care provisions.

Expands limitations on the use of electronic benefits cards.

Requires certain businesses to disable the ability of ATMs and point-of-sale machines, on their premises, to accept electronic benefits cards.

Provides penalties and enforcement by the liquor control board and the department of licensing for noncompliance by those businesses.

Creates a legislative-executive WorkFirst oversight task force to oversee the redesign of the WorkFirst program and operation of the temporary assistance for needy families program.

Requires the department of social and health services to:

(1) Establish an employee incentive program pilot for those employees who work directly with participants in the WorkFirst program;

(2) Adopt rules establishing income eligibility for temporary assistance for needy families benefits for certain children and to apply the five-year time limit to households in which a parent is in the home and ineligible for temporary assistance for needy families; and

(3) In consultation with its electronic benefits card contractor and interested persons and organizations, develop strategies to increase opportunities for public assistance recipients to maintain bank accounts.

Prohibits the department of social and health services from counting the federal supplemental security income received by a household member in determining income eligibility for WorkFirst or temporary assistance for needy families.

Requires the department of early learning and the department of social and health services to: (1) Identify different options to track subsidized child care attendance; and

(2) Conduct an assessment of the current subsidized child care eligibility determination system and develop recommendations to improve the system.

Creates an office of fraud and accountability within the department of social and health services.

June 15, 2011

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 3 and 26, Engrossed Substitute Senate Bill 5921 entitled:

"AN ACT Relating to social services."

This omnibus bill addresses redesign and policy changes to Washington's WorkFirst program, including provisions related to eligibility, accountability, fraud detection and enforcement. During the current economic downturn the state has experienced increased utilization of safety net programs. Now is the time to redouble our focus on service delivery that meets the intended outcomes and ensures fiscal accountability for the use of limited public funds.

Section 3 of the bill requires the Department of Social and Health Services to engage in competitive performance-based contracting for all WorkFirst activities. I strongly support government efficiency and improved performance in providing critical services to Washington residents. However, Section 3 of the bill is not needed and could create confusion about the applicable law that would govern such contracting. The Legislature enacted a law in 1997, codified as RCW 74.08A.290, that authorized the Department of Social and Health Services to engage in competitive contracting using performance-based contracts to provide all work activities. The Department of Social and Health Services would be expressly mandated to exercise its authority granted in 1997 under RCW 74.08A.290 by Second Engrossed Substitute House Bill 1087, a bill among those I sign today. I will direct the Department of Social and Health Services and the WorkFirst Subcabinet to act on the Legislature's direction in Second Engrossed Substitute House Bill 1087 to competitively contract all work activities under the 1997 law.

Section 26 of the bill establishes a Fraud Ombudsman in the State Auditor's Office to audit and provide oversight of the Office of Fraud and Accountability at the Department of Social and Health Services. Transparency of public funds is critically important. I remain committed to ensuring appropriate use of public funds when providing critical services for the State's most vulnerable residents.

However, Section 26 is duplicative of the State Auditor's Office existing authority to audit the work of the Office of Fraud and Accountability. The Department of Social and Health Services will provide the State Auditor's Office with access to any relevant records in its possession to the fullest

extent practicable upon the request of the State Auditor's Office.

For these reasons, I have vetoed Sections 3 and 26 of Engrossed Substitute Senate Bill 5921.

With the exception of Sections 3 and 26, Engrossed Substitute Senate Bill 5921 is approved.

Respectfully submitted,
Christine Gregoire
Governor