
HOUSE BILL 2069

State of Washington 63rd Legislature 2013 1st Special Session
By Representatives Hunter and Sullivan

1 AN ACT Relating to continuation of safety net benefits for persons
2 determined to have a physical or mental disability which makes them
3 eligible for the aged, blind, and disabled program under RCW 74.62.030
4 or the essential needs and housing program under RCW 43.185C.220;
5 amending RCW 74.62.030, 43.185C.220, and 43.185C.230; reenacting and
6 amending RCW 74.09.510 and 74.09.035; adding a new section to chapter
7 74.04 RCW; creating a new section; and providing a contingent effective
8 date.

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

10 **Sec. 1.** RCW 74.62.030 and 2011 1st sp.s. c 36 s 3 are each amended
11 to read as follows:

12 (1)(a) Effective November 1, 2011, the aged, blind, or disabled
13 assistance program shall provide financial grants to persons in need
14 who:

15 (i) Are not eligible to receive federal aid assistance, other than
16 basic food benefits transferred electronically and medical assistance;

17 (ii) Meet the eligibility requirements of subsection (3) of this
18 section; and

1 (iii) Are aged, blind, or disabled. For purposes of determining
2 eligibility for assistance for the aged, blind, or disabled assistance
3 program, the following definitions apply:

4 (A) "Aged" means age sixty-five or older.

5 (B) "Blind" means statutorily blind as defined for the purpose of
6 determining eligibility for the federal supplemental security income
7 program.

8 (C) "Disabled" means a bodily or mental infirmity that will (I)
9 likely continue for a minimum of nine months; (II) prevent the
10 individual from currently performing work that the individual was able
11 to perform as a substantial gainful activity within the prior ten
12 years; and (III) is otherwise likely to meet the federal supplemental
13 security income disability standard as determined by the disability
14 determination service entity within the department. In making this
15 determination, the department should give full consideration to the
16 cumulative impact of an applicant's multiple impairments, an
17 applicant's age, and vocational and educational history.

18 In determining whether a person is disabled, the department may
19 rely on, but is not limited to, the following:

20 (I) A previous disability determination by (~~the social security~~
21 ~~administration or~~) the disability determination service entity within
22 the department; or

23 (II) A determination that an individual is eligible to receive
24 optional categorically needy medicaid as a disabled person under the
25 federal regulations at 42 C.F.R. Parts 435, Secs. 201(a)(3) and 210.

26 (b) The following persons are not eligible for the aged, blind, or
27 disabled assistance program:

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

1 (ii) Persons for whom there has been a final determination of
2 ineligibility for federal supplemental security income benefits.

3 (c) Persons may receive aged, blind, or disabled assistance
4 benefits pending application for federal supplemental security income
5 benefits. The monetary value of any aged, blind, or disabled
6 assistance benefit that is subsequently duplicated by the person's
7 receipt of supplemental security income for the same period shall be
8 considered a debt due the state and shall by operation of law be
9 subject to recovery through all available legal remedies.

10 (2) Effective November 1, 2011, the pregnant women assistance
11 program shall provide financial grants to persons who:

12 (a) Are not eligible to receive federal aid assistance other than
13 basic food benefits or medical assistance; and

14 (b) Are pregnant and in need, based upon the current income and
15 resource standards of the federal temporary assistance for needy
16 families program, but are ineligible for federal temporary assistance
17 for needy families benefits for a reason other than failure to
18 cooperate in program requirements; and

19 (c) Meet the eligibility requirements of subsection (3) of this
20 section.

21 (3) To be eligible for the aged, blind, or disabled assistance
22 program under subsection (1) of this section or the pregnant women
23 assistance program under subsection (2) of this section, a person must:

24 (a) Be a citizen or alien lawfully admitted for permanent residence
25 or otherwise residing in the United States under color of law;

26 (b) Have furnished the department his or her social security
27 number. If the social security number cannot be furnished because it
28 has not been issued or is not known, an application for a number shall
29 be made prior to authorization of benefits, and the social security
30 number shall be provided to the department upon receipt;

31 (c) Have not refused or failed without good cause to participate in
32 drug or alcohol treatment if an assessment by a certified chemical
33 dependency counselor indicates a need for such treatment. Good cause
34 must be found to exist when a person's physical or mental condition, as
35 determined by the department, prevents the person from participating in
36 drug or alcohol dependency treatment, when needed outpatient drug or
37 alcohol treatment is not available to the person in the county of his

1 or her residence or when needed inpatient treatment is not available in
2 a location that is reasonably accessible for the person; and

3 (d) Not have refused or failed to cooperate in obtaining federal
4 aid assistance, without good cause.

5 (4) Effective November 1, 2011, referrals for essential needs and
6 housing support under RCW 43.185C.220 shall be provided to persons
7 found eligible (~~(for medical care services under RCW 74.09.035 who are~~
8 ~~not recipients of alcohol and addiction services provided under chapter~~
9 ~~74.50 RCW or are not recipients of aged, blind, or disabled~~
10 ~~assistance)) under section 2 of this act.~~

11 (5) No person may be considered an eligible individual for benefits
12 under this section with respect to any month if during that month the
13 person:

14 (a) Is fleeing to avoid prosecution of, or to avoid custody or
15 confinement for conviction of, a felony, or an attempt to commit a
16 felony, under the laws of the state of Washington or the place from
17 which the person flees; or

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

21 (6) The department must review the cases of all persons, except
22 recipients of alcohol and addiction treatment under chapter 74.50 RCW,
23 or recipients of aged, blind, or disabled assistance, who have received
24 medical care services for twelve consecutive months, and at least
25 annually after the first review, to determine whether they are eligible
26 for the aged, blind, or disabled assistance program.

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

29 (1) The department is responsible for determining eligibility for
30 referral for essential needs and housing support under RCW 43.185C.220.
31 Persons eligible are persons who:

32 (a) Are incapacitated from gainful employment by reason of bodily
33 or mental infirmity that will likely continue for a minimum of ninety
34 days as determined by the disability determination service entity
35 within the department of social and health services. The standard for
36 incapacity in this subsection, as evidenced by the ninety-day duration

1 standard, is not intended to be as stringent as federal supplemental
2 security income disability standards;

3 (b) Are citizens or aliens lawfully admitted for permanent
4 residence or otherwise residing in the United States under color of
5 law;

6 (c) Have furnished the department their social security number. If
7 the social security number cannot be furnished because it has not been
8 issued or is not known, an application for a number must be made prior
9 to authorization of benefits, and the social security number must be
10 provided to the department upon receipt;

11 (d) Have countable income as described in RCW 74.04.005 at or below
12 four hundred twenty-eight dollars for a married couple or at or below
13 three hundred thirty-nine dollars for a single individual; and

14 (e) Do not have countable resources in excess of those described in
15 RCW 74.04.005.

16 (2) The following persons are not eligible for a referral for
17 essential needs and housing support:

18 (a) Persons who are unemployable due primarily to alcohol or drug
19 addiction, except as provided in subsection (3) of this subsection.
20 These persons must be referred to appropriate assessment, treatment,
21 shelter, or supplemental security income referral services as
22 authorized under chapter 74.50 RCW. Referrals must be made at the time
23 of application or at the time of eligibility review. This subsection
24 may not be construed to prohibit the department from making a referral
25 for essential needs and housing report for persons who have a substance
26 abuse addiction who are incapacitated due to other physical or mental
27 conditions that meet the eligibility criteria for a referral for
28 essential needs and housing support.

29 (b) Persons who refuse or fail to cooperate in obtaining federal
30 aid assistance, without good cause;

31 (c) Persons who refuse or fail without good cause to participate in
32 drug or alcohol treatment if an assessment by a certified chemical
33 dependency counselor indicates a need for such treatment. Good cause
34 must be found to exist when a person's physical or mental condition, as
35 determined by the department, prevents the person from participating in
36 drug or alcohol dependency treatment, when needed outpatient drug or
37 alcohol treatment is not available to the person in the county of his

1 or her residence or when needed inpatient treatment is not available in
2 a location that is reasonably accessible for the person; and

3 (d) Persons who are fleeing to avoid prosecution of, or to avoid
4 custody or confinement for conviction of, a felony, or an attempt to
5 commit a felony, under the laws of the state of Washington or the place
6 from which the person flees; or who are violating a condition of
7 probation, community supervision, or parole imposed under federal or
8 state law for a felony or gross misdemeanor conviction.

9 (3) For purposes of determining whether a person is incapacitated
10 from gainful employment under subsection (1) of this section:

11 (a) The department shall adopt by rule medical criteria for
12 incapacity determinations to ensure that eligibility decisions are
13 consistent with statutory requirements and are based on clear,
14 objective medical information; and

15 (b) The process implementing the medical criteria must involve
16 consideration of opinions of the treating or consulting physicians or
17 health care professionals regarding incapacity, and any eligibility
18 decision which rejects uncontroverted medical opinion must set forth
19 clear and convincing reasons for doing so.

20 (4) For purposes of reviewing a person's continuing eligibility and
21 in order to remain eligible for the program, persons who have been
22 found to have an incapacity from gainful employment must demonstrate
23 that there has been no material improvement in their medical or mental
24 health condition. The department may discontinue benefits when there
25 was specific error in the prior determination that found the person
26 eligible by reason of incapacitation.

27 **Sec. 3.** RCW 43.185C.220 and 2011 1st sp.s. c 36 s 4 are each
28 amended to read as follows:

29 (1) The department shall distribute funds for the essential needs
30 and housing support program established under this section in a manner
31 consistent with the requirements of this section and the biennial
32 operating budget. The first distribution of funds must be completed by
33 September 1, 2011. Essential needs or housing support is only for
34 persons found eligible for such services under ((RCW 74.62.030(4)))
35 section 2 of this act and is not considered an entitlement.

36 (2) The department shall distribute funds appropriated for the
37 essential needs and housing support program in the form of grants to

1 designated essential needs support and housing support entities within
2 each county. The department shall not distribute any funds until it
3 approves the expenditure plan submitted by the designated essential
4 needs support and housing support entities. The amount of funds to be
5 distributed pursuant to this section shall be designated in the
6 biennial operating budget. For the sole purpose of meeting the initial
7 distribution of funds date, the department may distribute partial funds
8 upon the department's approval of a preliminary expenditure plan. The
9 department shall not distribute the remaining funds until it has
10 approved a final expenditure plan.

11 (3)(a) During the 2011-2013 biennium, in awarding housing support
12 that is not funded through the contingency fund in this subsection, the
13 designated housing support entity shall provide housing support to
14 clients who are homeless persons as defined in RCW 43.185C.010. As
15 provided in the biennial operating budget for the 2011-2013 biennium,
16 a contingency fund shall be used solely for those clients who are at
17 substantial risk of losing stable housing or at substantial risk of
18 losing one of the other services defined in RCW 74.62.010(6). For
19 purposes of this chapter, "substantial risk" means the client has
20 provided documentation that he or she will lose his or her housing
21 within the next thirty days or that the services will be discontinued
22 within the next thirty days.

23 (b) After July 1, 2013, the designated housing support entity shall
24 give first priority to clients who are homeless persons as defined in
25 RCW 43.185C.010 and second priority to clients who would be at
26 substantial risk of losing stable housing without housing support.

27 (4) For each county, the department shall designate an essential
28 needs support entity and a housing support entity that will begin
29 providing these supports to medical care services program recipients on
30 November 1, 2011. Essential needs and housing support entities are not
31 required to provide assistance to every medical care services recipient
32 that is referred to the local entity or who meets the priority
33 standards in subsection (3) of this section.

34 (a) Each designated entity must be a local government or
35 community-based organization, and may administer the funding for
36 essential needs support, housing support, or both. Designated entities
37 have the authority to subcontract with qualified entities. Upon

1 request, and the approval of the department, two or more counties may
2 combine resources to more effectively deliver services.

3 (b) The department's designation process must include a review of
4 proficiency in managing housing or human services programs when
5 designating housing support entities.

6 (c) Within a county, if the department directly awards separate
7 grants to the designated housing support entity and the designated
8 essential needs support entity, the department shall determine the
9 amount allocated for essential needs support as directed in the
10 biennial operating budget.

11 (5)(a) Essential needs and housing support entities must use funds
12 distributed under this section as flexibly as is practicable to provide
13 essential needs items and housing support to recipients of the
14 essential needs and housing support program, subject to the
15 requirements of this section.

16 (b) Benefits provided under the essential needs and housing support
17 program shall not be provided to recipients in the form of cash
18 assistance.

19 (c) The appropriations by the legislature for the purposes of the
20 essential needs and housing support program established under this
21 section shall be based on forecasted program caseloads. The caseload
22 forecast council shall provide a courtesy forecast of the (~~medical
23 care services recipient~~) population eligible for a referral for
24 essential needs and housing support that is homeless or is included in
25 reporting under subsection (7)(c)(iii) of this section. The department
26 may move funds between entities or between counties to reflect actual
27 caseload changes. In doing so, the department must: (i) Develop a
28 process for reviewing the caseload of designated essential needs and
29 housing support entities, and for redistributing grant funds from those
30 entities experiencing reduced actual caseloads to those with increased
31 actual caseloads; and (ii) inform all designated entities of the
32 redistribution process. Savings resulting from program caseload
33 attrition from the essential needs and housing support program shall
34 not result in increased per-client expenditures.

35 (d) Essential needs and housing support entities must partner with
36 other public and private organizations to maximize the beneficial
37 impact of funds distributed under this section, and should attempt to
38 leverage other sources of public and private funds to serve essential

1 needs and housing support recipients. Funds appropriated in the
2 operating budget for essential needs and housing support must be used
3 only to serve persons eligible to receive services under that program.

4 (6) The department shall use no more than five percent of the funds
5 for administration of the essential needs and housing support program.
6 Each essential needs and housing support entity shall use no more than
7 seven percent of the funds for administrative expenses.

8 (7) The department shall:

9 (a) Require housing support entities to enter data into the
10 homeless client management information system;

11 (b) Require essential needs support entities to report on services
12 provided under this section;

13 (c) In collaboration with the department of social and health
14 services, submit a report annually to the relevant policy and fiscal
15 committees of the legislature. A preliminary report shall be submitted
16 by December 31, 2011, and must include (c)(i), (iii), and (v) of this
17 subsection. Annual reports must be submitted beginning December 1,
18 2012, and must include:

19 (i) A description of the actions the department has taken to
20 achieve the objectives of chapter 36, Laws of 2011 1st sp. sess.;

21 (ii) The amount of funds used by the department to administer the
22 program;

23 (iii) Information on the housing status of essential needs and
24 housing support recipients served by housing support entities, and
25 individuals who have requested housing support but did not receive
26 housing support;

27 (iv) Grantee expenditure data related to administration and
28 services provided under this section; and

29 (v) Efforts made to partner with other entities and leverage
30 sources or public and private funds;

31 (d) Review the data submitted by the designated entities, and make
32 recommendations for program improvements and administrative
33 efficiencies. The department has the authority to designate
34 alternative entities as necessary due to performance or other
35 significant issues. Such change must only be made after consultation
36 with the department of social and health services and the impacted
37 entity.

1 (8) The department, counties, and essential needs and housing
2 support entities are not civilly or criminally liable and may not have
3 any penalty or cause of action of any nature arise against them related
4 to decisions regarding: (a) The provision or lack of provision of
5 housing or essential needs support; or (b) the type of housing
6 arrangement supported with funds allocated under this section, when the
7 decision was made in good faith and in the performance of the powers
8 and duties under this section. However, this section does not prohibit
9 legal actions against the department, county, or essential needs or
10 housing support entity to enforce contractual duties or obligations.

11 **Sec. 4.** RCW 43.185C.230 and 2011 1st sp.s. c 36 s 5 are each
12 amended to read as follows:

13 The department, in collaboration with the department of social and
14 health services, shall develop a mechanism through which the department
15 and local governments or community-based organizations can verify a
16 person has been determined eligible by the department of social and
17 health services and remains eligible for (~~medical care services under~~
18 ~~RCW 74.09.035 by the department of social and health services~~) the
19 essential needs and housing support program.

20 **Sec. 5.** RCW 74.09.510 and 2011 1st sp.s. c 36 s 9 and 2011 1st
21 sp.s. c 15 s 25 are each reenacted and amended to read as follows:

22 Medical assistance may be provided in accordance with eligibility
23 requirements established by the authority, as defined in the social
24 security Title XIX state plan for mandatory categorically needy persons
25 and:

26 (1) Individuals who would be eligible for cash assistance except
27 for their institutional status;

28 (2) Individuals who are under twenty-one years of age, who would be
29 eligible for medicaid, but do not qualify as dependent children and who
30 are in (a) foster care, (b) subsidized adoption, (c) a nursing facility
31 or an intermediate care facility for persons with intellectual
32 disabilities, or (d) inpatient psychiatric facilities;

33 (3) Individuals who:

34 (a) Are under twenty-one years of age;

35 (b) On or after July 22, 2007, were in foster care under the legal

1 responsibility of the department or a federally recognized tribe
2 located within the state; and

3 (c) On their eighteenth birthday, were in foster care under the
4 legal responsibility of the department or a federally recognized tribe
5 located within the state;

6 (4) Persons who are aged, blind, or disabled who: (a) Receive only
7 a state supplement, or (b) would not be eligible for cash assistance if
8 they were not institutionalized;

9 (5) Categorically eligible individuals who meet the income and
10 resource requirements of the cash assistance programs;

11 (6) Individuals who are enrolled in managed health care systems,
12 who have otherwise lost eligibility for medical assistance, but who
13 have not completed a current six-month enrollment in a managed health
14 care system, and who are eligible for federal financial participation
15 under Title XIX of the social security act;

16 (7) Children and pregnant women allowed by federal statute for whom
17 funding is appropriated;

18 (8) Working individuals with disabilities authorized under section
19 1902(a)(10)(A)(ii) of the social security act for whom funding is
20 appropriated;

21 (9) Other individuals eligible for medical services under ((~~RCW~~
22 ~~74.09.035 based on age, blindness, or disability and income and~~
23 ~~resources standards for medical care services and~~)) RCW 74.09.700 for
24 whom federal financial participation is available under Title XIX of
25 the social security act;

26 (10) Persons allowed by section 1931 of the social security act for
27 whom funding is appropriated; and

28 (11) Women who: (a) Are under sixty-five years of age; (b) have
29 been screened for breast and cervical cancer under the national breast
30 and cervical cancer early detection program administered by the
31 department of health or tribal entity and have been identified as
32 needing treatment for breast or cervical cancer; and (c) are not
33 otherwise covered by health insurance. Medical assistance provided
34 under this subsection is limited to the period during which the woman
35 requires treatment for breast or cervical cancer, and is subject to any
36 conditions or limitations specified in the omnibus appropriations act.

1 **Sec. 6.** RCW 74.09.035 and 2011 1st sp.s. c 36 s 6 and 2011 1st
2 sp.s. c 15 s 3 are each reenacted and amended to read as follows:

3 (1) To the extent of available funds, medical care services may be
4 provided to:

5 ~~((a) Persons who:~~

6 ~~(i) Are incapacitated from gainful employment by reason of bodily
7 or mental infirmity that will likely continue for a minimum of ninety
8 days as determined by the department. The standard for incapacity in
9 this subsection, as evidenced by the ninety-day duration standard, is
10 not intended to be as stringent as federal supplemental security income
11 disability standards;~~

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

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

20 ~~(iv) Have countable income as described in RCW 74.04.005 at or
21 below four hundred twenty-eight dollars for a married couple or at or
22 below three hundred thirty-nine dollars for a single individual; and~~

23 ~~(v) Do not have countable resources in excess of those described in
24 RCW 74.04.005.~~

25 ~~(b)) Persons eligible for the aged, blind, or disabled assistance
26 program authorized in RCW 74.62.030 and who are not eligible for
27 medicaid under RCW 74.09.510.~~

28 ~~((c) Persons eligible for alcohol and drug addiction services
29 provided under chapter 74.50 RCW, in accordance with medical
30 eligibility requirements established by the department.~~

31 ~~(d) The following persons are not eligible for medical care
32 services:~~

33 ~~(i) Persons who are unemployable due primarily to alcohol or drug
34 addiction, except as provided in (c) of this subsection. These persons
35 shall be referred to appropriate assessment, treatment, shelter, or
36 supplemental security income referral services as authorized under
37 chapter 74.50 RCW. Referrals shall be made at the time of application
38 or at the time of eligibility review. This subsection shall not be~~

1 ~~construed to prohibit the department from granting medical care~~
2 ~~services benefits to alcoholics and drug addicts who are incapacitated~~
3 ~~due to other physical or mental conditions that meet the eligibility~~
4 ~~criteria for medical care services;~~

5 ~~(ii) Persons who refuse or fail to cooperate in obtaining federal~~
6 ~~aid assistance, without good cause;~~

7 ~~(iii) Persons who refuse or fail without good cause to participate~~
8 ~~in drug or alcohol treatment if an assessment by a certified chemical~~
9 ~~dependency counselor indicates a need for such treatment. Good cause~~
10 ~~must be found to exist when a person's physical or mental condition, as~~
11 ~~determined by the department, prevents the person from participating in~~
12 ~~drug or alcohol dependency treatment, when needed outpatient drug or~~
13 ~~alcohol treatment is not available to the person in the county of his~~
14 ~~or her residence or when needed inpatient treatment is not available in~~
15 ~~a location that is reasonably accessible for the person; and~~

16 ~~(iv) Persons who are fleeing to avoid prosecution of, or to avoid~~
17 ~~custody or confinement for conviction of, a felony, or an attempt to~~
18 ~~commit a felony, under the laws of the state of Washington or the place~~
19 ~~from which the person flees; or who are violating a condition of~~
20 ~~probation, community supervision, or parole imposed under federal or~~
21 ~~state law for a felony or gross misdemeanor conviction.~~

22 ~~(e) For purposes of determining whether a person is incapacitated~~
23 ~~from gainful employment under (a) of this subsection:~~

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

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

33 ~~(f) For purposes of reviewing a person's continuing eligibility and~~
34 ~~in order to remain eligible for the program, persons who have been~~
35 ~~found to have an incapacity from gainful employment must demonstrate~~
36 ~~that there has been no material improvement in their medical or mental~~
37 ~~health condition. The department may discontinue benefits when there~~

1 ~~was specific error in the prior determination that found the person~~
2 ~~eligible by reason of incapacitation.))~~

3 (2) Enrollment in medical care services may not result in
4 expenditures that exceed the amount that has been appropriated in the
5 operating budget. If it appears that continued enrollment will result
6 in expenditures exceeding the appropriated level for a particular
7 fiscal year, the department may freeze new enrollment and establish a
8 waiting list of persons who may receive benefits only when sufficient
9 funds are available.

10 (3) Determination of the amount, scope, and duration of medical
11 care services shall be limited to coverage as defined by the authority,
12 except that adult dental, and routine foot care shall not be included
13 unless there is a specific appropriation for these services.

14 (4) The authority shall enter into performance-based contracts with
15 one or more managed health care systems for the provision of medical
16 care services under this section. The contract must provide for
17 integrated delivery of medical and mental health services.

18 (5) The authority shall establish standards of assistance and
19 resource and income exemptions, which may include deductibles and co-
20 insurance provisions. In addition, the authority may include a
21 prohibition against the voluntary assignment of property or cash for
22 the purpose of qualifying for assistance.

23 ~~(6) ((Residents of skilled nursing homes, intermediate care~~
24 ~~facilities, and intermediate care facilities for persons with~~
25 ~~intellectual disabilities, as that term is described by federal law,~~
26 ~~who are eligible for medical care services shall be provided medical~~
27 ~~services to the same extent as provided to those persons eligible under~~
28 ~~the medical assistance program.~~

29 ~~(7))~~ Eligibility for medical care services shall commence with the
30 date of ~~((certification for medical care services, date of))~~
31 eligibility for the aged, blind, or disabled assistance program
32 provided under RCW 74.62.030(~~(, or the date of eligibility for alcohol~~
33 ~~and drug addiction services provided under chapter 74.50 RCW))~~).

34 NEW SECTION. **Sec. 7.** This act takes effect January 1, 2014, if
35 medicaid expansion coverage under the federal patient protection and
36 affordable care act of 2010 (42 U.S.C. 1396a(a)(10)(A)(i)(VIII)) is
37 available in Washington state January 1, 2014. If medicaid expansion

1 coverage is not available January 1, 2014, this act takes effect upon
2 the date that medicaid expansion coverage under the federal patient
3 protection and affordable care act of 2010 is available in Washington
4 state.

5 NEW SECTION. **Sec. 8.** The Washington state health care authority
6 must provide notice of the effective date of section 7 of this act to
7 affected parties, the chief clerk of the house of representatives, the
8 secretary of the senate, the office of the code reviser, and others as
9 deemed appropriate by the Washington state health care authority.

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