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HOUSE BILL 2641

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State of Washington

63rd Legislature

2014 Regular Session

By Representatives Sawyer, Zeiger, Walsh, Kagi, Morrell, Ormsby, and Freeman

Read first time 01/23/14. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to establishing the WorkFirst reform program;  
2 amending RCW 74.08A.260; adding a new section to chapter 74.08A RCW;  
3 creating a new section; and making an appropriation.

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

5 NEW SECTION. **Sec. 1.** The legislature intends to create a  
6 WorkFirst reform program to allow investment in strategies that move  
7 families to self-sufficiency. The legislature finds that the WorkFirst  
8 temporary assistance for needy families program has been redesigned in  
9 response to legislative direction enacted in chapter 273, Laws of 2010  
10 (Engrossed Second Substitute House Bill No. 3141) and chapter 42, Laws  
11 of 2011 (Engrossed Substitute Senate Bill No. 5921). A state program  
12 is needed to invest in these efforts to fully realize these reforms  
13 without interference from the federal government.

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

16 (1) The department of social and health services shall operate a  
17 WorkFirst reform program.

1 (2) The WorkFirst reform program may provide assistance to  
2 individuals who meet the eligibility requirements of the temporary  
3 assistance for needy families program. Assistance provided through the  
4 WorkFirst reform program must reinforce a recipient's individual  
5 responsibility plan as provided in RCW 74.08A.260(2). This program  
6 must operate in addition to the WorkFirst temporary assistance for  
7 needy families program with the purpose of allowing the state to move  
8 families toward self-sufficiency.

9 (3) The department of social and health services shall operate the  
10 program within amounts appropriated by the legislature and consistent  
11 with the redesign of the WorkFirst program, including the following  
12 goals:

- 13 (a) Stable and successful employment;
- 14 (b) Supporting activities that matter, not those that count;
- 15 (c) Meaningful engagement of families;
- 16 (d) Family centered case planning and engagement;
- 17 (e) Parental responsibility in child development; and
- 18 (f) Assisting families in transition on the pathway to self-  
19 sufficiency.

20 (4) The department of social and health services shall partner with  
21 the department of commerce, the department of early learning, the  
22 employment security department, the office of financial management, and  
23 the state board for community and technical colleges to carry out the  
24 program.

25 (5) The WorkFirst reform program may not provide assistance to  
26 individuals in a manner that favors federal participation over support  
27 for individual responsibility plans.

28 (6) The department of social and health services must provide an  
29 annual report to the legislative-executive WorkFirst oversight task  
30 force established in RCW 74.08A.260(8) by December 1st, which must  
31 include:

- 32 (a) A description of the number of recipients who have achieved  
33 self-sufficiency through assistance from the WorkFirst reform program;
- 34 (b) A description of how assistance provided through the WorkFirst  
35 reform program has allowed recipients to meet the goals of their  
36 individual responsibility plans as provided in RCW 74.08A.260(2); and
- 37 (c) A description of how assistance provided through the WorkFirst

1 reform program has allowed recipients to meet the goals established in  
2 subsection (3) of this section.

3 **Sec. 3.** RCW 74.08A.260 and 2011 1st sp.s. c 42 s 2 are each  
4 amended to read as follows:

5 (1) Each recipient shall be assessed after determination of program  
6 eligibility and before referral to job search. Assessments shall be  
7 based upon factors that are critical to obtaining employment, including  
8 but not limited to education, availability of child care, history of  
9 family violence, history of substance abuse, and other factors that  
10 affect the ability to obtain employment. Assessments may be performed  
11 by the department or by a contracted entity. The assessment shall be  
12 based on a uniform, consistent, transferable format that will be  
13 accepted by all agencies and organizations serving the recipient.

14 (2) Based on the assessment, an individual responsibility plan  
15 shall be prepared that: (a) Sets forth an employment goal and a plan  
16 for maximizing the recipient's success at meeting the employment goal;  
17 (b) considers WorkFirst educational and training programs from which  
18 the recipient could benefit; (c) contains the obligation of the  
19 recipient to participate in the program by complying with the plan; (d)  
20 moves the recipient into full-time WorkFirst activities as quickly as  
21 possible; and (e) describes the services available to the recipient  
22 either during or after WorkFirst to enable the recipient to obtain and  
23 keep employment and to advance in the workplace and increase the  
24 recipient's wage earning potential over time.

25 (3) Recipients who are not engaged in work and work activities, and  
26 do not qualify for a good cause exemption under RCW 74.08A.270, shall  
27 engage in self-directed service as provided in RCW 74.08A.330.

28 (4) If a recipient refuses to engage in work and work activities  
29 required by the department, the family's grant shall be reduced by the  
30 recipient's share, and may, if the department determines it  
31 appropriate, be terminated.

32 (5) The department may waive the penalties required under  
33 subsection (4) of this section, subject to a finding that the recipient  
34 refused to engage in work for good cause provided in RCW 74.08A.270.

35 (6) In consultation with the recipient, the department or  
36 contractor shall place the recipient into a work activity that is  
37 available in the local area where the recipient resides.

1 (7) Assessments conducted under this section shall include a  
2 consideration of the potential benefit to the recipient of engaging in  
3 financial literacy activities. The department shall consider the  
4 options for financial literacy activities available in the community,  
5 including information and resources available through the financial  
6 education public-private partnership created under RCW 28A.300.450.  
7 The department may authorize up to ten hours of financial literacy  
8 activities as a core activity or an optional activity under WorkFirst.

9 (8)(a) From July 1, 2011, through June 30, 2012, subsections (2)  
10 through (6) of this section are suspended for a recipient who is a  
11 parent or other relative personally providing care for one child under  
12 the age of two years, or two or more children under the age of six  
13 years. This suspension applies to both one and two parent families.  
14 However, both parents in a two-parent family cannot use the suspension  
15 during the same month. Beginning July 1, 2012, the department shall  
16 phase in the work activity requirements that were suspended, beginning  
17 with those recipients closest to reaching the sixty-month limit of  
18 receiving temporary assistance for needy families under RCW  
19 74.08A.010(1). The phase in shall be accomplished so that a fairly  
20 equal number of recipients required to participate in work activities  
21 are returned to those activities each month until the total number  
22 required to participate is participating by June 30, 2013. Nothing in  
23 this subsection shall prevent a recipient from participating in the  
24 WorkFirst program on a voluntary basis. Recipients who participate in  
25 the WorkFirst program on a voluntary basis shall be provided an option  
26 to participate in the program on a part-time basis, consisting of  
27 sixteen or fewer hours of activities per week. Recipients also may  
28 participate voluntarily on a full-time basis.

29 (b)(i) The period of suspension of work activities under this  
30 subsection provides an opportunity for the legislative and executive  
31 branches to oversee redesign of the WorkFirst program. To realize this  
32 opportunity, both during the period of suspension and following  
33 reinstatement of work activity requirements as redesign is being  
34 implemented, a legislative-executive WorkFirst oversight task force is  
35 established, with members as provided in this subsection (8)(b).

36 (ii) The president of the senate shall appoint two members from  
37 each of the two largest caucuses of the senate.

1 (iii) The speaker of the house of representatives shall appoint two  
2 members from each of the two largest caucuses of the house of  
3 representatives.

4 (iv) The governor shall appoint members representing the department  
5 of social and health services, the department of early learning, the  
6 department of commerce, the employment security department, the office  
7 of financial management, and the state board for community and  
8 technical colleges.

9 (v) The task force shall choose cochairs, one from among the  
10 legislative members and one from among the executive branch members.  
11 The legislative members shall convene the initial meeting of the task  
12 force.

13 (c) The task force shall:

14 (i) Oversee the partner agencies' implementation of the redesign of  
15 the WorkFirst program and operation of the temporary assistance for  
16 needy families program to ensure that the programs are achieving  
17 desired outcomes for their clients;

18 (ii) Determine evidence-based outcome measures for the WorkFirst  
19 program, including measures related to equitably serving the needs of  
20 historically underrepresented populations, such as English language  
21 learners, immigrants, refugees, and other diverse communities;

22 (iii) Develop accountability measures for WorkFirst recipients and  
23 the state agencies responsible for their progress toward self-  
24 sufficiency;

25 (iv) Oversee implementation of the WorkFirst reform as provided in  
26 section 2 of this act to ensure that the program is achieving its  
27 goals;

28 (v) Make recommendations to the governor and the legislature  
29 regarding:

30 (A) Policies to improve the effectiveness of the WorkFirst program  
31 over time;

32 (B) Early identification of those recipients most likely to  
33 experience long stays on the program and strategies to improve their  
34 ability to achieve progress toward self-sufficiency; and

35 (C) Necessary changes to the program, including taking into account  
36 federal changes to the temporary assistance for needy families program.

37 (d) The partner agencies must provide the task force with regular  
38 reports on:

1 (i) The partner agencies' progress toward meeting the outcome and  
2 performance measures established under (c) of this subsection;

3 (ii) Caseload trends and program expenditures, and the impact of  
4 those trends and expenditures on client services, including services to  
5 historically underrepresented populations; and

6 (iii) The characteristics of families who have been unsuccessful on  
7 the program and have lost their benefits either through sanction or the  
8 sixty-month time limit.

9 (e) Staff support for the task force must be provided by senate  
10 committee services, the house of representatives office of program  
11 research, and the state agency members of the task force.

12 (f) The task force shall meet on a quarterly basis beginning  
13 September 2011, or as determined necessary by the task force cochairs.

14 (g) During its tenure, the state agency members of the task force  
15 shall respond in a timely manner to data requests from the cochairs.

16 NEW SECTION. **Sec. 4.** The sum of twelve million dollars, or as  
17 much thereof as may be necessary, is appropriated for the fiscal year  
18 ending June 30, 2015, from the general fund to the WorkFirst reform  
19 program for the purposes of this act.

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