

2SSB 6478 - H COMM AMD

By Committee on Human Services & Early Learning

NOT ADOPTED 03/06/2020

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 74.08A.010 and 2019 c 343 s 2 are each amended to
4 read as follows:

5 (1) A family that includes an adult who has received temporary
6 assistance for needy families for sixty months after July 27, 1997,
7 shall be ineligible for further temporary assistance for needy
8 families assistance.

9 (2) For the purposes of applying the rules of this section, the
10 department shall count any month in which an adult family member
11 received a temporary assistance for needy families cash assistance
12 grant unless the assistance was provided when the adult family member
13 was a minor child and not the head of the household or married to the
14 head of the household.

15 (3) The department shall adopt regulations to apply the sixty-
16 month time limit to households in which a parent is in the home and
17 ineligible for temporary assistance for needy families. Any
18 regulations shall be consistent with federal funding requirements.

19 (4) The department shall refer recipients who require specialized
20 assistance to appropriate department programs, crime victims'
21 programs through the department of commerce, or the crime victims'
22 compensation program of the department of labor and industries.

23 (5)(a) The department shall add to adopted rules related to
24 temporary assistance for needy families time limit extensions, the
25 following criteria by which the department shall exempt a recipient
26 and the recipient's family from the application of subsection (1) of
27 this section:

28 (i) By reason of hardship, including ~~((if the recipient is a~~
29 ~~homeless person as described in RCW 43.185C.010))~~ when:

30 (A) The recipient's family:

1 (I) Includes a child or youth who is without a fixed, regular,
2 and adequate nighttime residence as described in the federal
3 McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119,
4 subchapter VI, part B) as it existed on January 1, 2020; or

5 (II) Is at substantial risk of losing housing or housing support
6 services as described in RCW 43.185C.220; or

7 (B) The recipient:

8 (I) Is participating satisfactorily in the program;

9 (II) Is temporarily prevented from working or looking for a job;

10 (III) Is in need of mental health or substance use disorder
11 treatment; or

12 (IV) Demonstrates another basis by which the time limit pursuant
13 to subsection (1) of this section would cause undue hardship to the
14 recipient or the recipient's family; or

15 (ii) If the family includes an individual who meets the family
16 violence options of section 402(A)(7) of Title IVA of the federal
17 social security act as amended by P.L. 104-193.

18 (b) Policies related to circumstances under which a recipient
19 will be exempted from the application of subsection (1) or (3) of
20 this section shall treat adults receiving benefits on their own
21 behalf, and parents receiving benefits on behalf of their child
22 similarly, unless required otherwise under federal law.

23 (6) The department shall not exempt a recipient and his or her
24 family from the application of subsection (1) or (3) of this section
25 until after the recipient has received fifty-two months of assistance
26 under this chapter.

27 (7) The department shall provide transitional food assistance for
28 a period of five months to a household that ceases to receive
29 temporary assistance for needy families assistance and is not in
30 sanction status. If necessary, the department shall extend the
31 household's basic food certification until the end of the transition
32 period.

33 NEW SECTION. Sec. 2. A new section is added to chapter 74.08A
34 RCW to read as follows:

35 (1) Annually by December 31st, the department must report to the
36 governor and the appropriate policy and fiscal committees of the
37 legislature disaggregated data identifying the race of individuals
38 whose temporary assistance for needy families benefits were reduced
39 or terminated during the preceding year due to:

1 (a) Sanction as described in RCW 74.08A.260; or

2 (b) Reaching the sixty-month time limit under RCW 74.08A.010.

3 (2) If the disaggregated data for terminated or sanctioned
4 individuals shows a disproportionate representation of any racial
5 group that has experienced historic disparities or discrimination,
6 the department must describe steps it is taking to address and remedy
7 the racial disproportionality.

8 **Sec. 3.** RCW 74.08A.260 and 2018 c 126 s 5 and 2018 c 58 s 8 are
9 each reenacted and amended to read as follows:

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

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

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

34 (4) (a) If a recipient refuses to engage in work and work
35 activities required by the department, the department must review the
36 recipient's case to ensure the department has taken into
37 consideration any barriers to work activities and made any necessary
38 revisions to the recipient's individual responsibility plan. As part
39 of the review, the department must consider: (i) Whether the

1 recipient was provided with adequate notice and opportunity to remedy
2 his or her noncompliance with program requirements; and (ii) if the
3 department considered good cause reasons for failure to participate
4 pursuant to RCW 74.08A.270 before imposing sanctions.

5 (b) After two months of continuous noncompliance, the family's
6 grant shall be reduced by the recipient's share((, and may, if the
7 department determines it appropriate, be terminated)) or by forty
8 percent, whichever is greater.

9 (5) The department ((may)) shall waive the penalties required
10 under subsection (4) of this section, subject to a finding that the
11 recipient ((refused to)) did not engage in work for good cause
12 provided in RCW 74.08A.270.

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

16 (7) Assessments conducted under this section shall include a
17 consideration of the potential benefit to the recipient of engaging
18 in financial literacy activities. The department shall consider the
19 options for financial literacy activities available in the community,
20 including information and resources available through the financial
21 education public-private partnership created under RCW 28A.300.450.
22 The department may authorize up to ten hours of financial literacy
23 activities as a core activity or an optional activity under
24 WorkFirst.

25 (8) Subsections (2) through (6) of this section are suspended for
26 a recipient who is a parent or other relative personally providing
27 care for a child under the age of two years. This suspension applies
28 to both one and two parent families. However, both parents in a two-
29 parent family cannot use the suspension during the same month.
30 Nothing in this subsection shall prevent a recipient from
31 participating in the WorkFirst program on a voluntary basis.

32 NEW SECTION. Sec. 4. (1) The department of social and health
33 services shall conduct outreach to families terminated due to time
34 limits on or after January 1, 2015, who appear to otherwise meet
35 eligibility requirements for temporary assistance for needy families
36 pursuant to section 1 of this act. The department must use all known
37 contact information for families, including contact information
38 available through client files related to other department-
39 administered programs such as basic food and child support

1 enforcement, to notify families of policy changes under section 1 of
2 this act, and encourage families to apply for assistance.

3 (2) This section expires December 31, 2023.

4 NEW SECTION. **Sec. 5.** Sections 1 and 3 of this act take effect
5 July 1, 2021."

6 Correct the title.

EFFECT: Removes the provision requiring the Department of Social and Health Services (DSHS) to terminate a family's grant after 12 months of continuous noncompliance.

Adds criteria by which DSHS must exempt a recipient from the 60-month lifetime limit for benefits and removes the existing definition of "homeless person" as it relates to time limit extensions.

Requires DSHS to report disaggregated data identifying the race of individuals whose benefits were reduced or terminated during the preceding year due to sanction or reaching the 60-month limit and describe steps the Department is taking to address and remedy any racial disproportionality.

Directs DSHS to conduct outreach to families terminated due to time limits on or after January 1, 2015, who appear to otherwise meet expanded time limit extension criteria in order to notify families of policy changes and encourage them to reapply for assistance.

Removes the effective date of May 1, 2021, for the Act and adds an effective date of July 1, 2021, for time limit extension and noncompliance sanction policy changes.

Removes the provision specifying the Act applies prospectively only.

Removes the null and void clause.

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