

SHB 2441 - S COMM AMD

By Committee on Human Services, Reentry & Rehabilitation

OUT OF ORDER 03/05/2020

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:

31 (I) Includes a child or youth who is without a fixed, regular,
32 and adequate nighttime residence as described in the federal

1 McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119,
2 subchapter VI, part B) as it existed on January 1, 2020; or

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

5 (B) The recipient:

6 (I) Is participating satisfactorily in the program;

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

8 (III) Is in need of mental health or substance use disorder
9 treatment; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (4) (a) If a recipient refuses to engage in work and work
33 activities required by the department, the department must review the
34 recipient's case to ensure the department has taken into
35 consideration any barriers to work activities and made any necessary
36 revisions to the recipient's individual responsibility plan. As part
37 of the review, the department must consider: (i) Whether the
38 recipient was provided with adequate notice and opportunity to remedy
39 his or her noncompliance with program requirements; and (ii) if the

1 department considered good cause reasons for failure to participate
2 pursuant to RCW 74.08A.270 before imposing sanctions.

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

8 (5) The department (~~may~~) shall waive the penalties required
9 under subsection (4) of this section, subject to a finding that the
10 recipient refused to engage in work for good cause provided in RCW
11 74.08A.270.

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

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

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

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

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6 On page 1, line 2 of the title, after "families;" strike the
7 remainder of the title and insert "amending RCW 74.08A.010;
8 reenacting and amending RCW 74.08A.260; adding a new section to
9 chapter 74.08A RCW; creating a new section; providing an effective
10 date; and providing an expiration date."

EFFECT: If a WorkFirst recipient refuses to engage in work or
work activities, DSHS must review the case to ensure DSHS has
considered any barriers to work and made any necessary revisions to
the recipient's individual responsibility plan. After twelve months
of continuous noncompliance, DSHS may terminate the WorkFirst
recipient's grant.

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