
Housing, Human Services & Veterans Committee

HB 1748

Brief Description: Concerning aged, blind, or disabled program eligibility for victims of human trafficking.

Sponsors: Representatives Entenman, Leavitt, Valdez, Callan, Gregerson, Peterson, Shewmake, Wylie, Sullivan, Simmons, Riccelli and Harris-Talley; by request of Department of Social and Health Services.

Brief Summary of Bill

- Makes victims of human trafficking eligible for the Housing and Essential Needs (HEN) program and the Aged, Blind, or Disabled (ABD) program.
- Replaces references to "drug or alcohol" with "substance use" for purposes of the HEN and the ABD program.

Hearing Date: 1/13/22

Staff: Lena Langer (786-7192).

Background:

Housing and Essential Needs Program.

The Department of Commerce (Commerce) administers the Housing and Essential Needs (HEN) program under the state's homeless housing program. If an individual is eligible for the HEN, the Department of Social and Health Services (DSHS) refers that person to the Commerce. The HEN is funded by state general funds appropriated in the biennial operating budget.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The Commerce distributes funding to designated HEN providers within each county who provide housing supports or essential needs supports to eligible individuals. Housing supports are assistance provided to maintain existing housing when the recipient is at substantial risk of becoming homeless, to obtain housing, or to obtain certain utility services when the recipient is at risk of losing those services. Housing supports can include rental assistance. Essential needs supports can include items such as personal hygiene and household supplies, bus passes, and laundry tokens. Recipients of HEN supports do not receive a cash grant.

The DSHS must share information with the Commerce and designated HEN providers that allows for verification of an individual's HEN eligibility. The Commerce must provide a list of individuals eligible for HEN supports to providers on no less than a monthly basis.

The income standards for HEN eligibility are set in statute. Countable income for an individual must be at or below \$339 per month, and income for married couples must be at or below \$428 per month. A person is ineligible for HEN if he or she refuses or fails without good cause to participate in drug or alcohol treatment if an assessment by a certified chemical dependency counselor indicates a need for such treatment.

Aged, Blind, or Disabled Program.

The Aged, Blind, or Disabled (ABD) program provides cash assistance to low-income individuals meeting eligibility requirements. The DSHS determines eligibility for the ABD program. Eligible individuals must be aged 65 or older, be blind, or have a long-term medical condition that is likely to meet federal disability criteria and result in qualification for the federal Supplemental Security Income (SSI) program.

The ABD program recipients must cooperate with the federal disability application process. To assist with this process, the ABD program recipients receive SSI facilitation. The SSI facilitators help the ABD program recipients file applications for SSI and gather necessary medical evidence. The state receives a reimbursement for the cost of providing ABD program cash assistance when recipients are successfully transitioned to SSI.

A person is ineligible for the ABD program when he or she is not able to engage in gainful employment primarily due to alcohol or drug dependency. If the person has a separate impairment in addition to alcohol or drug dependency, the individual may be eligible to receive ABD program assistance.

Human Trafficking.

Effective February 1, 2022, victims of human trafficking and other certain crimes, and their qualifying family members, are eligible for the following state assistance programs:

- The Food Assistance Program for legal immigrants, if they are not eligible for the federal food stamp program;
- State Family Assistance Programs, if they otherwise meet program eligibility requirements; and
- Medical Care Services, if they are not eligible for Apple Health for Kids or other federal

health insurance programs.

Victim of human trafficking is defined in statute as a non-citizen and any qualifying family members who have:

- filed or are preparing to file an application for a T or U visa with the appropriate federal agency; or
- been harmed by either any violation of Chapter 9A.40 or 9.68A RCW, or both, or by substantially similar crimes under federal law or the laws of any other state, and who are otherwise taking steps to meet the conditions for federal benefits eligibility under Title 22 USC Section 7015, or have filed or are preparing to file a formal application with the appropriate federal agency for asylum as provided under federal law.

A qualifying family member includes a victim's spouse, children, parents, and unmarried siblings under the age of 18, when the victim is under 21 years of age, and a victim's spouse and children, when the victim is 21 years old or older. A qualifying family member does not include a family member who has been charged with or convicted of attempt, conspiracy, solicitation, or commission of any crime referenced in this act or described under 8 U.S.C. Sec. 1101(a)(15)(T) or (U) as either existed on January 1, 2020, when the crime is against a spouse who is a victim of human trafficking or against the child of a victim of human trafficking.

Summary of Bill:

Eligibility for purposes of the HEN and the ABD program is amended to include victims of human trafficking, as defined in statute.

In the HEN and the ABD program, references to "drug or alcohol" are amended to "substance use."

Appropriation: None.

Fiscal Note: Requested on January 6, 2022.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.