

SENATE BILL REPORT

SB 5480

As Reported by Senate Committee On:
Human Services, February 2, 2023

Title: An act relating to accelerating stability for people with a work-limiting disability or incapacity.

Brief Description: Accelerating stability for people with a work-limiting disability or incapacity.

Sponsors: Senators Kauffman, Wilson, C., Kuderer, Lovelett, Nguyen and Saldaña; by request of Department of Social and Health Services.

Brief History:

Committee Activity: Human Services: 1/25/23, 2/02/23 [DPS-WM, w/oRec].

Brief Summary of First Substitute Bill

- Directs the Department of Commerce to provide 12 months of support to a client deemed eligible for the Essential and Housing Needs Support Referral Program (HEN).
- Makes a number of statutory changes to the HEN program, including aligning Aged, Blind and Disabled Cash Assistance Program, and HEN income limits with other Department of Social and Health Services cash assistance programs.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: That Substitute Senate Bill No. 5480 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

Minority Report: That it be referred without recommendation.

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.

Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J..

Staff: Alison Mendiola (786-7488)

Background: Department of Social and Health Services. The Department of Social and Health Services (DSHS) offers a number of programs including administering a number of public benefit programs including the Aged, Blind, or Disabled Cash Assistance Program (ABD), determining eligibility for a referral to the Housing and Essential Needs Referral Program (HEN), and assisting those with disabilities find employment through the Department of Vocational Rehabilitation (DVR), among other things.

Aged, Blind, or Disabled Cash Assistance Program. ABD is a state-funded program that provides cash assistance and a referral to the HEN to eligible low-income individuals who are age 65 or older, blind or determined likely to meet Supplemental Security Income (SSI) disability criteria based on an impairment or impairments expected to last at least 12 consecutive months. This program provides maximum monthly cash grants of \$417 for a single individual, or \$528 for a married couple. ABD recipients are also eligible for assistance applying for SSI benefits.

ABD is available to Washington residents who:

- are age 65 or older, blind, or have a long-term medical condition that is likely to meet federal disability criteria;
- are at least 18 years old, or, if under 18, a member of a married couple;
- meet income and resource requirements; and
- meet citizenship or alien status requirements.

Housing and Essential Needs Referral Program. HEN is a state-funded program that provides access to essential needs items, and potential rental assistance for low-income individuals who are unable to work for at least 90 days due to a physical or mental incapacity, or both. While DSHS determines eligibility for the referral to the HEN program, actual eligibility for rental assistance and essential needs items is determined by the Department of Commerce (Commerce) through a network of homeless and homeless prevention service providers.

HEN may include limited rent and utility assistance, move-in costs, personal health and hygiene items, cleaning supplies, and transportation assistance.

A HEN referral may be available for Washington residents who:

- are unable to work for at least 90 days due to a physical or mental incapacity;
- are at least 18 years old, or, if under 18, legally emancipated or a member of a married couple;
- meet income and resource requirements; and
- meet citizenship or alien status requirements.

A person may receive both HEN and ABD benefits concurrently while they have an application pending for federal SSI benefits. The monetary value of ABD benefits that is subsequently duplicated by the person's receipt of SSI for the same period, those ABD benefits are considered a debt due to the state and must be repaid.

Division of Vocational Rehabilitation. As funding allows, DVR provides individualized vocational rehabilitation counseling and employment services and supports to people with disabilities who want to work but face substantial barriers in finding meaningful and sustained employment. DVR also provides technical assistance and training to businesses regarding the recruiting and hiring of people with disabilities. People receiving ABD and HEN are assessed to determine whether they would likely benefit from a program offered by DVR, the Employment Security Administration is to refer that person to DVR.

Summary of Bill (First Substitute): Changes and clarifications are made to ABD, HEN, and DVR, including:

- the statutory income limit for HEN is removed, and is to be established by DSHS;
- persons receiving both ABD and HEN may be referred to DVR if the person agrees to a referral;
- a person deemed eligible for HEN is to receive 12 months of consecutive support from the date Commerce submits its first rent subsidy on behalf of the recipient;
- the HEN priority for clients who are homeless or would be at substantial risk of losing stable housing is struck;
- codifying that HEN entities may continue to serve clients that move outside of county service areas to other county service areas within the state with the added requirement that the client notify the entity that serves the geographic area where the client is moving, and directs Commerce to support both entities, which may include financial assistance;
- forms used by individuals applying for HEN are designed in a manner that the form may be shared with DSHS;
- when reviewing a HEN recipient's continuing eligibility, the new authorization period is 12 months; and
- DSHS is to share client data for individuals eligible for HEN with Commerce and housing support entities as required.

EFFECT OF CHANGES MADE BY HUMAN SERVICES COMMITTEE (First Substitute):

The requirement that an ABD recipient who subsequently receives SSI benefits for the same period are required to pay back the ABD benefits is restored.

A number of changes and clarifications are made to the HEN program, including:

- a person deemed eligible for HEN is to receive 12 months of consecutive support from the date Commerce submits its first rent subsidy on behalf of the recipient;
- the HEN priority for clients who are homeless or would be at substantial risk of

- losing stable housing is struck;
- codifying that HEN entities may continue to serve clients that move outside of county service areas to other county service areas within the state with the added requirement that the client notify the entity that serves the geographic area where the client is moving, and directs Commerce to support both entities, which may include financial assistance;
 - forms used by individuals applying for HEN are designed in a manner that the form may be shared with DSHS;
 - when reviewing a HEN recipient's continuing eligibility, the new authorization period is 12 months; and
 - DSHS is to share client data for individuals eligible for HEN with Commerce and housing support entities as required.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill eliminates the requirement that a person who receives both ABD and SSI for the same time period pay back the ABD benefits. Eliminating this requirement promotes economic stability. It shouldn't be called assistance if people are required to pay it back. You can be on ABD for a long time, sometimes years, waiting for a decision on SSI. People rely on the SSI to pay back debt, use the money as a deposit for housing, and catch up on bills. This proposal is part of the Poverty Reduction Workgroup recommendations.

Persons Testifying: PRO: Senator Claudia Kauffman, Prime Sponsor; Tony Bowie, Department of Social and Health Services, Economic Services Administration; Babs Roberts, Department of Social and Health Services, Economic Services Administration; Melanie Smith, Seattle / King County Coalition on Homelessness; Dawnetta Sparks; Justin Miller; Eric Penar; Tracy L'angat; Kathleen Knutsen; Gian Mitchell, Washington Low Income Housing Alliance.

Persons Signed In To Testify But Not Testifying: PRO: Kristina Sawyckyj; Sharon Murfin.