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**SENATE BILL 5493**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Zeiger, Darneille, and Walsh

Read first time 01/23/19. Referred to Committee on Human Services, Reentry & Rehabilitation.

1 AN ACT Relating to establishing a board of advisors to provide  
2 local guidance to community services offices operated by the  
3 department of social and health services; amending RCW 74.04.005; and  
4 adding a new section to chapter 74.04 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.04  
7 RCW to read as follows:

8 (1) A board of advisors must be established to provide advice and  
9 guidance to the operations for each local community services office  
10 and to coordinate collaborations with community partners. Each board  
11 of advisors may:

12 (a) Provide input into community services office operations;

13 (b) Enhance community connections between the community services  
14 office and relevant sectors of the community;

15 (c) Improve local accountability for the delivery of human  
16 services; and

17 (d) Promote innovation.

18 (2) The regional administrator for the department must meet  
19 monthly with each board of advisors in the regional administrator's  
20 catchment area to present local data, trends, and recommendations.  
21 The regional administrator must respond in writing to written

1 questions and recommendations propounded by the board of advisors  
2 within thirty days.

3 (3) The county legislative authority of the county where the  
4 community services office is located or, in the case of multiple  
5 counties, the county legislative authority of the county which  
6 contributes the highest population to the catchment area of the  
7 community services office shall, in consultation with staff from the  
8 economic services administration, appoint the following advisors to  
9 the board of advisors for each community services office to serve  
10 staggered, renewable three-year terms:

11 (a) One representative of each county and city government  
12 contained within the community services office catchment area;

13 (b) One representative from a local human services or housing  
14 nonprofit;

15 (c) One representative from the local business community;

16 (d) One client of the community services office with lived  
17 experience of homelessness or insecure housing;

18 (e) One local representative from the market rate housing  
19 developer community; and

20 (f) One representative of a local behavioral health provider.

21 (4) If the catchment area of the community services office  
22 intersects with tribal land, the governor shall request that the  
23 tribe appoint a tribal representative to the board of advisors.

24 (5) Each board of advisors must also incorporate:

25 (a) The state legislators who serve the community services office  
26 catchment area, as ex officio members; and

27 (b) The administrator of the community services office, as a  
28 nonvoting member.

29 **Sec. 2.** RCW 74.04.005 and 2018 c 40 s 1 are each amended to read  
30 as follows:

31 For the purposes of this title, unless the context indicates  
32 otherwise, the following definitions shall apply:

33 (1) "Aged, blind, or disabled assistance program" means the  
34 program established under RCW 74.62.030.

35 (2) "Applicant" means any person who has made a request, or on  
36 behalf of whom a request has been made, to any county or local office  
37 for assistance.

38 (3) "Authority" means the health care authority.

1 (4) "County or local office" means the administrative office for  
2 one or more counties or designated service areas.

3 (5) "Department" means the department of social and health  
4 services.

5 (6) "Director" means the director of the health care authority.

6 (7) "Essential needs and housing support program" means the  
7 program established in RCW 43.185C.220.

8 (8) "Federal aid assistance" means the specific categories of  
9 assistance for which provision is made in any federal law existing or  
10 hereafter passed by which payments are made from the federal  
11 government to the state in aid or in respect to payment by the state  
12 for public assistance rendered to any category of needy persons for  
13 which provision for federal funds or aid may from time to time be  
14 made, or a federally administered needs-based program.

15 (9) "Income" means:

16 (a) All appreciable gains in real or personal property (cash or  
17 kind) or other assets, which are received by or become available for  
18 use and enjoyment by an applicant or recipient during the month of  
19 application or after applying for or receiving public assistance. The  
20 department may by rule and regulation exempt income received by an  
21 applicant for or recipient of public assistance which can be used by  
22 him or her to decrease his or her need for public assistance or to  
23 aid in rehabilitating him or her or his or her dependents, but such  
24 exemption shall not, unless otherwise provided in this title, exceed  
25 the exemptions of resources granted under this chapter to an  
26 applicant for public assistance. In addition, for cash assistance the  
27 department may disregard income pursuant to RCW 74.08A.230 and  
28 74.12.350.

29 (b) If, under applicable federal requirements, the state has the  
30 option of considering property in the form of lump sum compensatory  
31 awards or related settlements received by an applicant or recipient  
32 as income or as a resource, the department shall consider such  
33 property to be a resource.

34 (10) "Need" means the difference between the applicant's or  
35 recipient's standards of assistance for himself or herself and the  
36 dependent members of his or her family, as measured by the standards  
37 of the department, and value of all nonexempt resources and nonexempt  
38 income received by or available to the applicant or recipient and the  
39 dependent members of his or her family.

1 (11) "Public assistance" or "assistance" means public aid to  
2 persons in need thereof for any cause, including services, medical  
3 care, assistance grants, disbursing orders, work relief, benefits  
4 under RCW 74.62.030 and 43.185C.220, and federal aid assistance.

5 (12) "Recipient" means any person receiving assistance and in  
6 addition those dependents whose needs are included in the recipient's  
7 assistance.

8 (13) "Resource" means any asset, tangible or intangible, owned by  
9 or available to the applicant at the time of application, which can  
10 be applied toward meeting the applicant's need, either directly or by  
11 conversion into money or its equivalent. The department may by rule  
12 designate resources that an applicant may retain and not be  
13 ineligible for public assistance because of such resources. Exempt  
14 resources shall include, but are not limited to:

15 (a) A home that an applicant, recipient, or their dependents is  
16 living in, including the surrounding property;

17 (b) Household furnishings and personal effects;

18 (c) One motor vehicle, other than a motor home, used and useful  
19 having an equity value not to exceed ten thousand dollars;

20 (d) A motor vehicle necessary to transport a household member  
21 with a physical disability. This exclusion is limited to one vehicle  
22 per person with a physical disability;

23 (e) All other resources, including any excess of values exempted,  
24 not to exceed six thousand dollars or other limit as set by the  
25 department, to be consistent with limitations on resources and  
26 exemptions necessary for federal aid assistance;

27 (f) Applicants for or recipients of benefits under RCW 74.62.030  
28 and 43.185C.220 shall have their eligibility based on resource  
29 limitations consistent with the temporary assistance for needy  
30 families program rules adopted by the department; and

31 (g) If an applicant for or recipient of public assistance  
32 possesses property and belongings in excess of the ceiling value,  
33 such value shall be used in determining the need of the applicant or  
34 recipient, except that: (i) The department may exempt resources or  
35 income when the income and resources are determined necessary to the  
36 applicant's or recipient's restoration to independence, to decrease  
37 the need for public assistance, or to aid in rehabilitating the  
38 applicant or recipient or a dependent of the applicant or recipient;  
39 and (ii) the department may provide grant assistance for a period not  
40 to exceed nine months from the date the agreement is signed pursuant

1 to this section to persons who are otherwise ineligible because of  
2 excess real property owned by such persons when they are making a  
3 good faith effort to dispose of that property if:

4 (A) The applicant or recipient signs an agreement to repay the  
5 lesser of the amount of aid received or the net proceeds of such  
6 sale;

7 (B) If the owner of the excess property ceases to make good faith  
8 efforts to sell the property, the entire amount of assistance may  
9 become an overpayment and a debt due the state and may be recovered  
10 pursuant to RCW 43.20B.630;

11 (C) Applicants and recipients are advised of their right to a  
12 fair hearing and afforded the opportunity to challenge a decision  
13 that good faith efforts to sell have ceased, prior to assessment of  
14 an overpayment under this section; and

15 (D) At the time assistance is authorized, the department files a  
16 lien without a sum certain on the specific property.

17 (14) "Secretary" means the secretary of social and health  
18 services.

19 (15) "Standards of assistance" means the level of income required  
20 by an applicant or recipient to maintain a level of living specified  
21 by the department.

22 (16) "Community services office" means a local office within a  
23 region defined by the department which processes applications for  
24 public assistance.

25 (17) For purposes of determining eligibility for public  
26 assistance and participation levels in the cost of medical care, the  
27 department shall exempt restitution payments made to people of  
28 Japanese and Aleut ancestry pursuant to the Civil Liberties Act of  
29 1988 and the Aleutian and Pribilof Island Restitution Act passed by  
30 congress, P.L. 100-383, including all income and resources derived  
31 therefrom.

32 (~~(17)~~) (18) In the construction of words and phrases used in  
33 this title, the singular number shall include the plural, the  
34 masculine gender shall include both the feminine and neuter genders,  
35 and the present tense shall include the past and future tenses,  
36 unless the context thereof shall clearly indicate to the contrary.

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