

## Appendix 1 Contacts

---

### DSHS/ESA Contacts

---

**DSHS Secretary**

**Kevin Quigley**  
(360) 902-7800  
[quiglkw@dshs.wa.gov](mailto:quiglkw@dshs.wa.gov)

**ESA Assistant Secretary**

**David Stillman**  
(360) 725-4350  
[david.stillman@dshs.wa.gov](mailto:david.stillman@dshs.wa.gov)

---

### ESA Divisions

---

**Child Support**

**Wally McClure, Director**  
(360) 664-5225  
[wally.mcclure@dshs.wa.gov](mailto:wally.mcclure@dshs.wa.gov)

**Community Services**

**Babs Roberts, Director**  
(360) 725-4888  
[babette.roberts@dshs.wa.gov](mailto:babette.roberts@dshs.wa.gov)

**Disability Determination Services**

**Duane French, Director**  
(360) 664-7350  
[duane.french@ssa.gov](mailto:duane.french@ssa.gov)

**Finance and Recovery**

**Charles Jackson, Director**  
(360) 725-4515  
[charles.jackson@dshs.wa.gov](mailto:charles.jackson@dshs.wa.gov)

**Information Technology Integration  
and Services**

**Cristie Fredrickson, Director**  
(360) 664-4866  
[fredrcl@dshs.wa.gov](mailto:fredrcl@dshs.wa.gov)

**Program Integrity and Quality Assurance**

**Deborah Doyle, Director**  
(360) 725-4540  
[ddoyle@dshs.wa.gov](mailto:ddoyle@dshs.wa.gov)

## Appendix 1 Contacts

---

### ESA Programs

---

**Refugee and Immigrant Assistance**

**Sarah Peterson, Chief**  
(206) 568-5568  
[petersk@dshs.wa.gov](mailto:petersk@dshs.wa.gov)

---

### ESA Data Resources

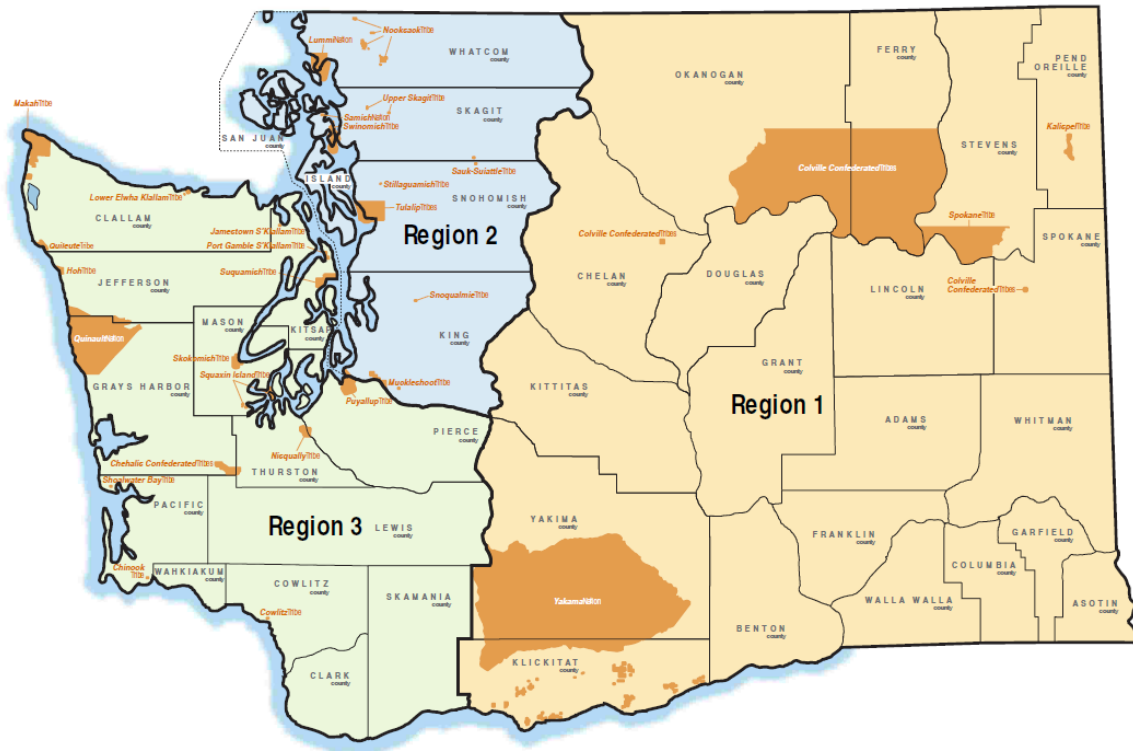
---

**ESA Management Accountability and  
Performance Statistics (data analysis and  
reporting)**

**George Xu, EMAPS Administrator**  
(360) 725-0680  
[George.Xu@dshs.wa.gov](mailto:George.Xu@dshs.wa.gov)

## Appendix 2 Geographic Maps

ESA provides services through its local Community Services Offices (CSOs) and local Division of Child Support Offices located in three regions. The counties within each DSHS region are as follows:




---

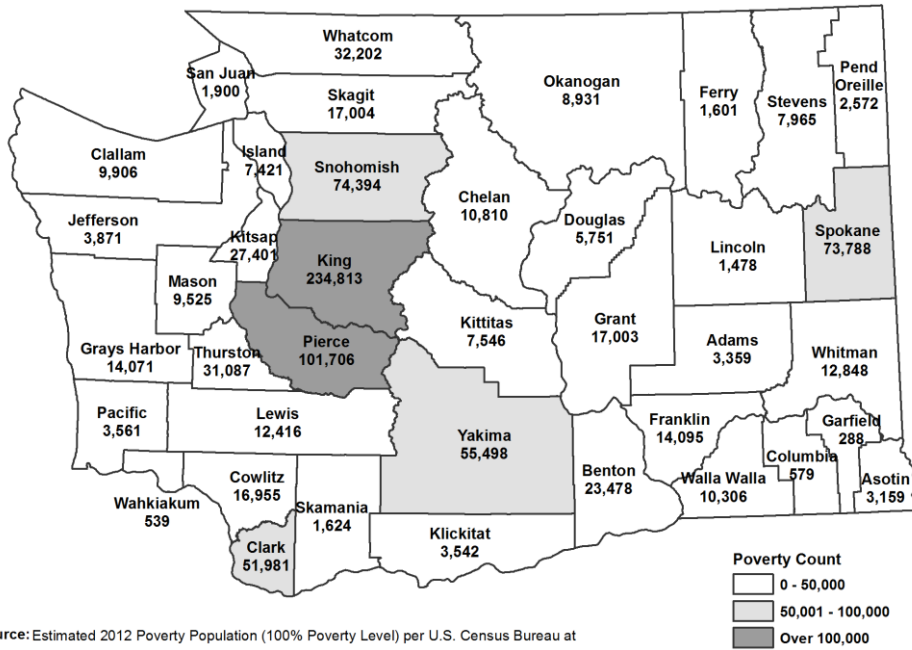
### Counties in Each DSHS Region

---

- Region 1**                      Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima
  
  - Region 2**                      King, Island, San Juan, Skagit, Snohomish, and Whatcom
  
  - Region 3**                      Clark, Clallam, Cowlitz, Grays Harbor, Jefferson, Kitsap, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum
-

## Appendix 2 Geographic Maps

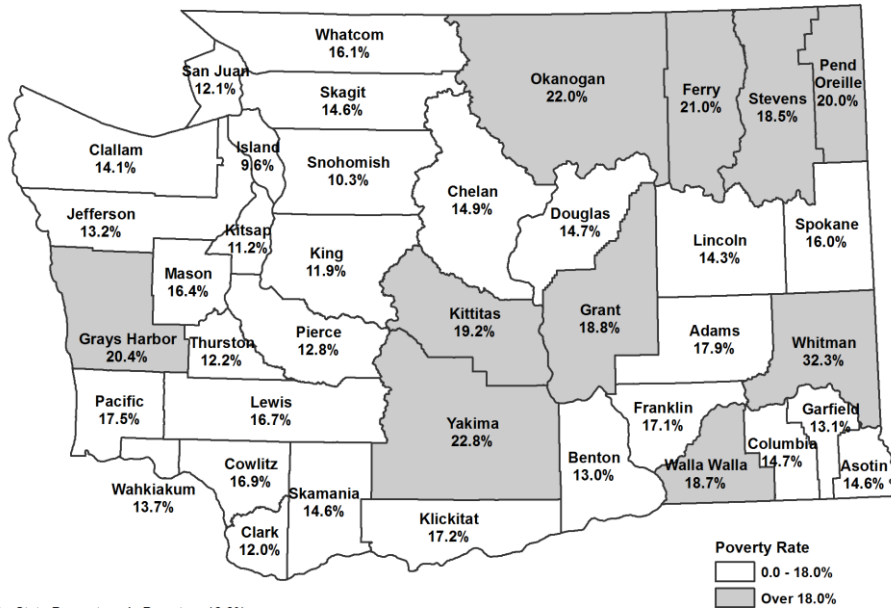
**Number of Persons of All Ages at the 100% Poverty Level by County in Washington State: 2012**



Source: Estimated 2012 Poverty Population (100% Poverty Level) per U.S. Census Bureau at <http://www.census.gov/did/www/saipe/data/index.html>.

Provided by DSHS/ESA/OAS/E-MAPS - Oct. 2014

**Percentage of Persons of All Ages at the 100% Poverty Level by County in Washington State: 2012**



Note: State Percentage in Poverty = 13.6%

Source: Estimated 2012 Poverty Population (100% Poverty Level) per U.S. Census Bureau at <http://www.census.gov/did/www/saipe/data/index.html>.

Provided by DSHS/ESA/OAS/E-MAPS - Oct. 2014

## Appendix 3 Abbreviations

<b>ABAWD</b>	Able-Bodied Adults without Dependents
<b>ABD</b>	Aged, Blind or Disabled cash assistance program ( <i>formerly Disability Lifeline</i> )
<b>ACA</b>	Affordable Care Act
<b>ACES</b>	Automated Client Eligibility System
<b>ADATSA</b>	Alcoholism and Drug Addiction Treatment and Support Act
<b>AREN</b>	Additional Requirements for Emergent Need
<b>AU</b>	Assistance Unit (i.e., group of people who live together and whose income or resources may be counted in determining eligibility and benefit amounts)
<b>BFET</b>	Basic Food Employment and Training
<b>BF or BFP</b>	Basic Food Program
<b>CARD</b>	Caseload Analysis and Reporting Database
<b>CE</b>	Comprehensive Evaluation
<b>CEAP</b>	Consolidated Emergency Assistance Program
<b>CN</b>	Categorically Needy
<b>CC</b>	Contact Center
<b>CSCC</b>	Customer Service Contact Center
<b>CSD</b>	Community Services Division
<b>CSO</b>	Community Services Office
<b>DEL</b>	Department of Early Learning
<b>DCA</b>	Diversion Cash Assistance
<b>DCAP</b>	Disaster Cash Assistance Program ( <i>see CEAP</i> )
<b>DCS</b>	Division of Child Support
<b>DDDS</b>	Division of Disability Determination Services
<b>DL-U</b>	Disability Lifeline – Unemployable ( <i>formerly General Assistance – Unemployable</i> )

## Appendix 3 Abbreviations

<b>DL-X</b>	Disability Lifeline – Expedited Medicaid ( <i>formerly General Assistance – Expedited Medicaid</i> )
<b>DSHS</b>	Department of Social and Health Services
<b>ESA</b>	Economic Services Administration
<b>ESD</b>	Employment Security Department
<b>ESL</b>	English as a Second Language
<b>EBT</b>	Electronic Benefits Transfer
<b>EFT</b>	Electronic Funds Transfer (direct deposit)
<b>ESD</b>	Employment Security Department
<b>FAP</b>	Food Assistance Program for Legal Immigrants
<b>FCS</b>	Food and Consumer Service, U.S. Department of Agriculture
<b>FNS</b>	Food and Nutrition Service, U.S. Department of Agriculture
<b>FFY</b>	Federal Fiscal Year (October 1 through September 30)
<b>FOI</b>	Frontiers of Innovation
<b>FRS</b>	Financial Reporting System
<b>FSP</b>	Federal Food Stamp Program ( <i>Formally renamed the Supplemental Nutrition Assistance Program</i> )
<b>FTE</b>	Full-time Equivalent ( <i>the equivalent of one full-time staff</i> )
<b>FY</b>	Fiscal Year ( <i>used in reference to state and federal fiscal years</i> )
<b>GA-U</b>	General Assistance-Unemployable ( <i>Historical reference; replaced by Disability Lifeline program in March 2010</i> )
<b>GA-X</b>	General Assistance – Expedited Medicaid ( <i>Historical reference; replaced by Disability Lifeline program in March 2010</i> )
<b>HBE</b>	Health Benefit Exchange
<b>HEN</b>	Housing and Essential Needs

## Appendix 3 Abbreviations

<b>eJAS</b>	Electronic JOBS Automated System
<b>LEP</b>	Limited English Proficiency
<b>LPA</b>	Local Planning Areas
<b>MAGI</b>	Modified Adjusted Gross Income
<b>MOE</b>	Maintenance of Effort
<b>MCS</b>	Medical Care Services
<b>OAR</b>	Ongoing Additional Requirements
<b>OBRA</b>	Omnibus Budget Reconciliation Act of 1990
<b>OFR</b>	Office of Financial Recovery
<b>OSD</b>	Operations Support Division (ESA)
<b>PRISM</b>	Predictive Risk Intelligence System
<b>PWA</b>	Pregnant Women Assistance
<b>RCA</b>	Refugee Cash Assistance
<b>RCW</b>	Revised Code of Washington
<b>RIA</b>	Refugee and Immigrant Assistance (ESA)
<b>RRA</b>	Refugee Resettlement Assistance
<b>SBCTC</b>	State Board for Community and Technical Colleges
<b>SFY</b>	State Fiscal Year (July 1 through June 30)
<b>SNAP</b>	Supplemental Nutrition Assistance Program
<b>SSA</b>	Social Security Administration
<b>SSI/SSP</b>	Supplemental Security Income/State Supplement Program
<b>TANF</b>	Temporary Assistance for Needy Families ( <i>the block grant created in 1996 by federal welfare reform, P. L. 104-193, which consolidated former AFDC, JOBS and CEAP funding</i> )
<b>Title IV-A</b>	Title of the Social Security Act, which contains regulations for the Temporary Assistance

## Appendix 3 Abbreviations

for Needy Families (TANF) program.

<b>Title IV-D</b>	Title of the Social Security Act, which contains regulations regarding child support collection and enforcement.
<b>Title IV-E</b>	Title of the Social Security Act, which contains regulations regarding children’s services, including some foster care programs
<b>TMA</b>	Transitional Medical Assistance
<b>TRO</b>	Temporary Restraining Order
<b>USDA</b>	U. S. Department of Agriculture
<b>WAC</b>	Washington Administrative Code
<b>WCAP</b>	Working Connections Automated Program
<b>WASHCAP</b>	Washington State Combined Application Project
<b>WCCC</b>	Working Connections Child Care
<b>WFCM</b>	WorkFirst Case Manager
<b>WDC</b>	Workforce Development Councils ( <i>formerly Private Investment Councils or PICs</i> )
<b>WIA</b>	Workforce Investment Act
<b>WtW</b>	Welfare to Work
<b>WTAP</b>	Washington Telephone Assistance Program



## Appendix 4 Electronic Benefits and Funds Transfer

### Electronic Benefits Transfer (EBT) & Electronic Funds Transfer - Direct Deposit (EFT)

#### **EBT – Electronic Benefits Transfer**

##### *What EBT does:*

- Delivers cash and food assistance benefits through a magnetic stripe debit card.
- Enables clients to access food benefits through Point of Sale (POS) devices and cash benefits through Automated Teller Machines (ATM) and at retailers.

##### *Who EBT serves:*

- Clients who receive food assistance through the Basic Food program and/or cash assistance through the Temporary Assistance to Needy Families (TANF), Aged, Blind or Disabled (ABD), State Supplemental Payment (SSP), Refugee Cash Assistance (RCA), and Consolidated Emergency Assistance Program (CEAP) programs.

##### *How EBT evolved:*

- In 1996, Washington joined the Western States Electronic Benefits Transfer Alliance (WSEA) comprised of Washington, Alaska, Arizona, Colorado, Hawaii, and Idaho to conduct a joint competitive procurement for EBT services. Nevada later joined the alliance.
- In 1996, Citibank EBT Services was selected as the successful vendor for WSEA.
- In 1997, Washington stakeholders participated in EBT workgroups to solicit their input. Stakeholders included food retailers, client advocates, tribal members, the disability community, financial institutions, federal agencies, and state staff representing the union, field operations, and headquarters.
- In 1998, business and technical requirements for Washington's EBT system were developed in association with Citicorp, ACES and stakeholders.

##### *EBT Time frames:*

- April 1998 - Washington signed an EBT contract with Citicorp, Inc.
- March 1999 - EBT started pilot programs in Cowlitz, Grays Harbor, Clark, Klickitat, Pacific, Skamania, and Wahkiakum counties.
- June 1999 – the first of six regional rollouts began in Region 1.
- November 1999 – the statewide implementation of EBT was completed.
- October 2002 – Federal Food Stamp rules required EBT in all states.
- June 2004 – the nationwide implementation of EBT was completed.
- March 2014 – an instructional memo was issued reminding staff of the changes to the Basic Food trafficking rules and excess EBT replacement policy.

##### *Who Belongs to the Western States EBT Alliance (WSEA):*

- In 1996, Washington joined the Western States Electronic Benefits Transfer Alliance (WSEA) comprised of six (6) states: Washington, Alaska, Arizona, Colorado, Hawaii, and Idaho to conduct a joint competitive procurement for EBT services. The Territory of Guam, Nevada, Wyoming, and Nebraska later joined the alliance.
- In July 2013, Nevada officially withdrew from the WSEA Coalition, leaving eight (8) states and the Territory of Guam to begin procurement for EBT-4 service in 2014.

## **Appendix 4**

### **Electronic Benefits and Funds Transfer**

- In August 2013, Utah officially joined the WSEA Coalition, increasing the number again to nine (9) states and the Territory of Guam. Utah will procure for the EBT-4 services in 2014 with the Coalition.
- In March 2014, Washington withdrew from WSEA.

## Appendix 4

### Electronic Benefits and Funds Transfer

#### **EFT – Electronic Funds Transfer**

##### *What EFT does:*

- At the client's request, cash benefits are deposited directly into their personal checking/savings account instead of being deposited into an EBT cash account.

##### *Who EFT serves:*

- Clients who receive federal or state-funded cash assistance, such as Temporary Assistance to Needy Families (TANF), Aged, Blind or Disabled (ABD), Refugee Cash Assistance (RCA), State Supplemental Payment (SSP), and those who have or are willing to open a savings or checking account. EFT is an optional method that clients may choose for receiving their cash benefits.

##### *How EFT evolved:*

- EBT Steering Committee pursued EFT through the State Treasurer's Office as more cost effective than procuring the service from Citicorp, Inc.
- In June 1999, a workgroup with staff from the EBT Unit, ACES, and State Treasurer's Office met to determine business and technical requirements.

##### *EFT Time frames:*

- In January 2000, the EFT pilot program started in two Pierce County offices: Pierce West Community Services Office and Pierce North Community Services Office.
- In May 2000, all EBT cash assistance clients statewide were given the option to use EFT.

##### Reprocurement of WSEA EBT Services

- In December 2001, the Western States EBT Alliance (WSEA) states developed and published a second-tier Request for Proposal to ensure EBT services continued without interruption. The Territory of Guam, unable to attract a bidder due to its small caseload, joined the WSEA in this procurement.
- In May 2002, Citicorp Electronic Financial Services (CEFS) was announced as the successful second-tier vendor.
- On April 28, 2003, Washington's first tier contract expired. Washington exercised the two, one-year extension options under the initial contract.
- In January 2004, CEFS was sold to J. P. Morgan Electronic Financial Services (EFS).
- In April 2009, WSEA awarded the EBT Request for Proposal to the successful bidder, J. P. Morgan EFS.

##### New Contract with J.P. Morgan Electronic Financial Services (EFS)

- In March 2005, Washington signed a new seven-year contract with J. P. Morgan EFS through April 2012. An Internet Web Browser application was made available to clients for obtaining their own EBT account information at [www.ebtaccount.jpmorgan.com](http://www.ebtaccount.jpmorgan.com).
- In June 2006, New Mexico and Wyoming joined the WSEA.
- In June 2007, New Mexico decided not to participate with WSEA as an alliance.
- In October 2007, Nebraska joined the WSEA.
- In June 2008, an amendment to the March 2005 contract was signed by J. P. Morgan EFS and the State of Washington for an additional two-year contract extension, from May 2012 through April 2014.

## **Appendix 4**

### **Electronic Benefits and Funds Transfer**

- In April 2012, an amendment to the March 2005 contract was signed by J.P. Morgan EFS and the State of Washington to provide implementation and support for the Washington State Summer Electronic Benefits Transfer for Children (SEBTC) pilot program for the summer of 2012.
- In August 2012, an amendment to the March 2005 contract was signed by J.P. Morgan EFS and the State of Washington to eliminate the \$0.85 cent ATM withdrawal charge from client EBT accounts.
- In December 2013, J.P.Morgan announced they would be exiting the business of EBT and other prepaid cards; Washington was in the middle of contract negotiations at the time of the announcement and J.P. Morgan agreed to a short-term contract.
- In April 2014, Washington signed a new, limited two-year contract with J.P. Morgan.

## Appendix 5 Welfare History Overview

### Federal Welfare Legislative History

**2014 The Agricultural Act of 2014 (P.L. 113-79) was signed into law by President Obama on February 7, 2014 and is commonly known as the “Farm Bill.”** The Farm Bill sets national agricultural, nutrition, conservation, and forestry policy. The Supplemental Nutrition Assistance Program (SNAP) provisions of the bill were designed to improve oversight by the U.S. Department of Agriculture (USDA) and state program operations and administration.

SNAP eligibility rules and benefit levels are, for the most part, set at the federal level and uniform across the nation, though states have flexibility to tailor aspects of the program. To address concerns regarding eligibility, benefits, and inappropriate shelter or medical expenses the deductions have been tightened up under the Act.

The Act specifies individuals who are not eligible for SNAP, such as lottery winners, affluent college students, permanently disqualified, and deceased individuals. Ex-felons convicted of particularly heinous crimes (such as murder, aggravated sexual abuse, sexual exploitation or abuse of children) who have served their sentence are also prohibited from participating in SNAP unless they comply with the terms of their parole. Further, the bill codifies existing USDA policy that households with an elderly or disabled member cannot deduct legalized medical marijuana expense as a SNAP medical deduction.

In addition, SNAP allows deductions from gross income for certain essential household expenses. Each state sets a Standard Utility Allowance (SUA) reflecting typical utility costs for low-income households that incur heating and cooling costs apart from their rent. No longer can a SNAP recipient qualify for SUA because they receive a minimal LIHEAP benefit in lieu of showing copies of their bills. The 2014 Farm Bill requires a household to receive a LIHEAP benefit of greater than \$20 a year in order to qualify for the SUA. As of January 1, 2015, the Department of Social and Health Services (DSHS) will issue a more substantial LIHEAP benefit meeting the new requirement for households who are not eligible for the SUA without receiving the payment.

The Farm Bill also has multiple provisions to strengthen program integrity by investing new resources in fraud detection and prevention, launching a new federal state partnership on retailer fraud, and enhancing tools for fraud detection.

The Farm Bill includes three major modifications to prioritize employment and training (E & T) services and program outcomes within SNAP E&T:

- (1) Pilot Projects to Test Innovative Strategies;
- (2) E&T Reporting and Monitoring; and
- (3) Additional Funds for E&T.

**Public Law 113-183, the Preventing Sex Trafficking and Strengthening Families Act**, made changes to Title IV-D of the Social Security Act to require states to adopt the 2008 version of the Uniform Interstate Family Support Act (UIFSA), as well as other changes intended to improve international child support recovery. This law grants Indian tribes access to the Federal Parent Locator Service (FPLS), and expresses the sense of Congress that establishing parenting time arrangements when obtaining child support orders is “an important goal which should be

## Appendix 5

### Welfare History Overview

accompanied by strong family violence safeguards,” and that states should use existing funding sources to support the establishment of parenting time arrangements. This law also made changes to Title IV-E (Foster Care and Adoption Assistance) regarding children or youth in state care or in kinship care, which may have child support impacts.

**2010 The Affordable Care Act of 2010 (The Patient Protection and Affordable Care Act of 2010 and the Health Care and Reconciliation Act of 2010) are referred to collectively as the “Affordable Care Act” or “ACA”).** The ACA was enacted in 2010 under two separate provisions – PL 114-148 and PL 111-152. Different parts of the ACA took effect at different times. Of most significance to public assistance programs, the eligibility rules and eligibility processes for determining Medicaid changed significantly effective October 1, 2013. Under a federal option, Washington State opted to create a state-run Health Benefit Exchange portal called the Washington Healthplanfinder which, in addition to providing access to health insurance to individuals and employers, provided real-time automated eligibility determinations for most Medicaid applicants. Beginning January 1, 2014, families and pregnant women with Modified Adjusted Gross Income (MAGI) below the required federal poverty level (FPL) are eligible for Medicaid. Washington also opted to participate in Medicaid Expansion, which allows individuals with incomes below 133% to qualify for Medicaid. Eligibility for most Medicaid programs under the ACA is determined using a new simplified automated system that is no longer tied to eligibility for Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), or other Economic Services Administration (ESA) programs; therefore, the management of medical assistance eligibility and related IT system processes were moved to the Health Benefit Exchange (HBE) and Health Care Authority (HCA). The Economic Services Administration continues to determine eligibility for some medical assistance programs (called Classic Medical), including medical programs for persons who are elderly (age 65 or older), blind or disabled.

**2009 American Recovery and Reinvestment Act of 2009 (ARRA), PL 111-5,** was enacted on February 17, 2009. An economic stimulus bill designed to address the nation’s economic crisis, this Act provided funding under Title II, Assistance for Unemployed Workers and Struggling Families, in several key areas: (1) Supplemental Nutrition Assistance Program (SNAP) - provided a 13.6 percent increase in maximum benefits (Basic Food), which equated to a \$24 increase for a one-person household; (2) Unemployment Benefits - provided an extension of the Emergency Unemployment Compensation program through December 31, 2009; (3) Medical Assistance – provided an extension for Transitional Medical Assistance (TMA) through December 31, 2010; (4) TANF – established a TANF Emergency Contingency Fund to provide additional funds to states that experienced an increase in: (a) their TANF caseload and expenditures, (b) short-term non-recurring benefits, or (c) subsidized employment programs. States were eligible to receive 80% of the increase in expenditures between FFY 2007 and FFY 2008 (whichever is less) and FFY 2009. Funding was made available for FFY 2009 and 2010 and was limited to 50% of the combined annual TANF awards for the two-year period. The Act modified the TANF carry-forward rules to allow states to carry forward unexpended TANF and emergency contingency funds to the next year without the requirement to spend the funds on assistance. It modified the caseload reduction credit calculation to use FFY 2007 or 2008, or the prior year (whichever would be most advantageous to the state); and (5) SSI, SSA & RR Benefits – it allowed a one-time \$250 payment to be made to recipients.

## Appendix 5 Welfare History Overview

**2008 Food, Conservation, and Energy Act of 2008 (2008 Farm Bill)**, PL 110-234, was enacted on May 22, 2008. The Farm Bill renamed the Food Stamp Program as the “Supplemental Nutrition Assistance Program” (SNAP). The Food Stamp Act of 1977 was now to be called the “Food and Nutrition Act of 2008.”

Key changes to SNAP program eligibility and benefit levels included increases in the Standard Deduction (from \$134 to \$144) and a \$16 increase in the minimum benefit for one- and two-person households. It also removed the cap on the dependent care deduction, excluded combat pay as income, excluded retirement and educational accounts as a resource and instituted annual resource limit adjustments to keep pace with inflation. It established state options to expand simplified reporting (to migrant/seasonal farm workers, homeless and elderly disabled households) and to provide transitional benefits for state-funded assistance programs. In addition, it established new types of disqualifications for fraud.

Key administrative changes included: a State option to allow telephonic signature, a requirement for FNS to develop standards and establish state data collection and reporting requirements related to a state’s major changes in program design, and new federal match requirements for automated systems related to systemic errors, access and payment accuracy. The Act also made changes to the Food Stamp Employment & Training program (more time to expend allocations, added job retention services as an allowable employment and training activity and eased participation restrictions for volunteers). In addition, states that had a nutrition education program must now notify food stamp applicants and participants of the availability of nutrition education “to the maximum extent practicable.” DSHS currently contracts with Washington State University and the Washington State Department of Health to provide Nutrition Education services.

**2006 The Deficit Reduction Act (DRA) of 2005**, PL 109-171, was enacted on February 8, 2006. The TANF program was extended at the FY 2004 funding level through FY 2010. The Act made appropriations and extended the National Random Sample Study of Child Welfare through FY 2010. It revised the formula for the caseload reduction credit with respect to work participation rates, and included families receiving assistance under separate state programs in the calculation of work participation rates. It directed the Secretary to make known regulations for determining whether activities may be counted as work activities, how to count and verify reported hours of work, and work-eligible individuals. It also provided for a state penalty for failure to establish or comply with work participation verification procedures.

The Act replaced incentive bonuses to states for a decrease in the illegitimacy rate with healthy marriage promotion and responsible fatherhood grants, and limited the use of funds for (1) demonstration projects designed to test the effectiveness of tribal governments or consortia in coordinating the provision of child welfare services to tribal families at risk of child abuse or neglect; and (2) activities promoting responsible fatherhood. It made appropriations for FY2006-FY2010.

Child Care – The Act made appropriations for FY2006-FY2010 for entitlement grants to states for child care.

## Appendix 5

### Welfare History Overview

Child Support – The Act modified the rule requiring assignment of support rights as a condition of receiving TANF, revised requirements for the distribution of arrearages with respect to families that formerly received TANF, declared that states shall not be required to pay the federal government the federal share of amounts collected on behalf of a family (1) that formerly received TANF, to the extent that the state pays (passes through) the amount to the family; or (2) that currently receives assistance, to the extent of a certain portion passed through to the family. It revised requirements for use of the tax refund intercept program to collect past-due child support on behalf of children who are not minors, reduced from \$5,000 to \$2,500 the amount of a child support arrearage triggering referral for passport denial of the parent responsible for the arrearage, and required that all child support orders include a provision for medical support for children to be provided by either or both parents, and be enforced. It also provided for a mandatory annual fee of \$25 for each case of successful child support collection for a family that had never received TANF, if the state collected more than \$500.

- 2004 Social Security Protection Act of 2004**, PL 108-203, was enacted on March 2, 2004 providing for a temporary extension to Supplemental Security Income (SSI) claimants of the system under which the Social Security Administration withholds past-due Social Security Disability Insurance benefits to pay claimants' attorney fees. This change affected how DSHS received and processed the reimbursement of interim assistance (i.e., General Assistance or other state funds-only benefits paid to or on behalf of SSI claimants).
- 2002 Farm Security and Rural Investment Act of 2002**, PL 107-171, was enacted on May 13, 2002, making changes to the **Food Stamp Program** and providing program funding through fiscal year 2007. **Title IV: Nutrition Programs - Food Stamp Reauthorization Act of 2002 - Subtitle A: Food Stamp Program** – The Act amended the **Food Stamp Act of 1977** to exclude from income for food stamp program purposes (1) legally-obligated child support payments made by a household member on behalf of a person not a member of such household—states could continue to provide a child support deduction, rather than this exclusion—this deduction must be determined before computing the excess shelter expense deduction; and (2) income for program purposes deferred educational and veterans' educational assistance, State complementary assistance payments, and certain medical assistance not included as income under specified provisions of titles IV and XIX of the Social Security Act.

The Act revised and increased the standard deduction by tying it to the Federal poverty income guideline, according to household size and indexed for inflation. It authorized states to give a homeless household with some shelter expenses a \$143 monthly deduction rather than an excess shelter expense deduction. It also revised: (1) utility allowances; (2) eligibility certification provisions; and (3) quality control provisions.

The Act required states with a program website to make on-line applications available in each language in which printed applications were available, reduced household reporting requirements, and provided high performance bonus payments beginning in FY 2003 to the six States with the highest or most improved performance. States were now authorized to provide up to five months of transitional program benefits to households moving from the Temporary Assistance for Needy Families program (TANF). Employment and training program funding



## Appendix 5

### Welfare History Overview

allocations were extended through FY 2006 and additional FY 2002 through 2006 amounts were allocated to States that ensure availability of specified work opportunities.

The Act repealed (1) the 80 percent set-aside for able-bodied adults without dependents; (2) the maintenance-of-effort requirement to access new unmatched funds; and (3) the limits on the amount States were reimbursed for each work slot offered. It increased the monthly cap on the amount States may reimburse participants for transportation and other work expenses for FY 2002 through 2009 from \$25 to \$50.

It amended the **Personal Responsibility and Work Opportunity Reconciliation Act of 1996** to make all legal immigrant children, regardless of U.S. entry date, eligible for the supplemental security income (SSI) and food stamp programs beginning in FY 2004. It also made (1) qualified aliens who have resided in the U.S. for 5 years, and (2) blind or disabled aliens who lawfully reside in the U.S. and receive disability cash or medical benefits, eligible for food stamps.

**1997** **Balanced Budget Act (BBA) of 1997**, PL 105-33, was enacted on August 5, 1997 making changes and implementing numerous technical corrections to the **Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996**, PL 104-193. The BBA (1) established the Welfare-to-Work Block Grant, (2) limited the amount of TANF funds that can be transferred to Title XX – Social Services Block Grant (SSBG) to 10% of the TANF block grant and removed the requirement to transfer \$2 to the Child Care & Development Block Grant (CCDBG) for every \$1 transferred to the SSBG, (3) increased from 20% to 30% of individuals in all families (and in 2-parent families) the limitation on the number of persons who may be treated as engaged in work by reason of participation in a vocational education program, or (for teen heads of households) maintenance of satisfactory school attendance, and (4) extended the refugee/asylee eligibility period for SSI/Medicaid eligibility from 5 to 7 years, included Cuban and Haitian entrants in this category, and provided a 5-year food stamp eligibility for these aliens. Technical corrections (1) revised the computation method for out-of-wedlock reduction bonuses, (2) modified the MOE requirements for the Contingency Fund, (3) revised work requirements so that a family with a disabled parent is not treated as a 2-parent family, allowed the minimum work requirement for a 2-parent family to be shared between both parents with a 55 hour per week minimum, caretaker of a child under age 6 meets work requirements if working 20 hours per week, and allowed 12 weeks of job search to count as work during any period a state meets the contingency fund definition of “needy state,” (4) TANF penalties were modified so that the penalty amount was now 5% in the first year, and increased by 2% per year up to 21% maximum, and (5) the drug felon disqualification rule was modified to apply to convictions for conduct that occurred after 8/22/96.

**1996** **Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996**, PL 104-193, was signed into law on August 22, 1996 giving states choices in how to structure their welfare programs. Federal funding was provided in the form of the **Temporary Assistance to Needy Families (TANF)** block grant, and was fixed at the same level for five years. TANF replaced the Aid to Families with Dependent Children (AFDC) program and ended the entitlement status of welfare benefits. PRWORA provided new federal child care funds, reauthorized the Child Care and Development Block Grant (CCDBG), and required these combined funds to be administered as a unified program under the **Child Care and Development Fund (CCDF)**. PRWORA also allowed states to transfer up to 30% of the TANF

## Appendix 5

### Welfare History Overview

block grant into the CCDBG and the Title XX – Social Services Block Grant (SSBG), but limited the amount transferable to SSBG to 10% of the TANF block grant and required that \$2 be transferred to the CCDBG for every \$1 transferred to the SSBG. In this first major overhaul of welfare in 60 years, welfare receipt was limited to 5 years. The law contained strong work requirements and penalties for states that failed to meet them, i.e., 5% of the TANF grant for failure to meet work participation rates with the amount increasing in subsequent years by up to an additional 2% up to a limit of 21%. In addition, there was a performance bonus to reward states for moving welfare recipients into jobs, state maintenance of effort requirements, comprehensive child support enforcement requirements, and supports for families moving from welfare to work, including at least one year of transitional Medicaid when a family leaves welfare for work.

- 1990 Omnibus Budget Reconciliation Act (OBRA) of 1990**, PL 101-508, was enacted on November 5, 1990. Children were not considered members of AFDC assistance units when determining eligibility for AFDC benefits, and their income and resources were not counted toward family income and resource limits when they were recipients of Title IV-E, state, or local (1) foster care maintenance payments or a combination of these types of payments, or, (2) adoption support payments or a combination of these types of payments, and the inclusion of the adopted child in the assistance unit would result in lower benefits for the family. Earned Income Tax Credit (EITC) was considered an exempt resource during the month of receipt and the following month by the AFDC and GA-U Programs. Any EITC remaining in the second month following the month of receipt now applied towards the Resource Ceiling. States now had the option of specifying which categories of families must report monthly and which method of income budgeting to use (prospective or retrospective budgeting). The Act excluded the income and resources of a child receiving State or local foster care maintenance payments from eligibility or payment determinations for AFDC, and amended the AFDC program to provide child care to low-income families not receiving AFDC benefits when the state determined there was a need for care in order to work and the family was at risk of becoming dependent upon the AFDC program.
- 1989 Omnibus Budget Reconciliation Act (OBRA) of 1989**, PL 101-239, became law on December 19, 1989 and amended the **Child Support Enforcement Amendments of 1984**, P.L. 98-378, to permanently extend the provision to continue a family’s Medicaid (Title XIX) eligibility when the family became ineligible for AFDC due to the collection or increased collection of child support under Part D of Title IV (Child Support and Establishment of Paternity) of the Social Security Act. The Act established a new AFDC quality control system which imposed penalties on states based upon a sliding scale which reflected the degree to which a state’s AFDC error rate exceeds the national average. It also took into account overpayments and underpayments in determining error rates and established a Quality Control Review Panel for dispute resolution between states and the Federal government.
- 1988 Family Support Act (FSA) of 1988**, PL 100-485, was enacted on October 13, 1988 and targeted services for those most likely to become long-term welfare recipients. The Act created **the Job Opportunities and Basic Skills (JOBS)** program, which focused on education and training, and provided child care and medical assistance to recipients for 12 months after they left AFDC with employment. It made changes to the 6-out-of-13 work quarter requirement for AFDC-E and to the “principal wage earner” criteria. It increased the child care disregard to \$175 per child/per month (\$200 for a child under age 2), the work expense disregard to \$90, and disregarded EITC.

## Appendix 5

### Welfare History Overview

The Act established the state option to require that unmarried minor parents must live with a parent, legal guardian or other adult relative, or in an adult-supervised living arrangement to be eligible for AFDC. With the enactment of FSA of 1988, states now had to revise their need and payment standards every 3 years and could create wage supplementation and community work experience programs. The Act strengthened child support enforcement collection activities, including changes to the \$50 pass-through payment rules and mandatory wage-withholding. It also established paternity establishment performance standards for states and mandated annual reports to Congress.

- 1986 Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985**, PL 99-272, enacted on April 7, 1986, formally established the two-parent AFDC-Employable (AFDC-E) program which was previously known as the AFDC-Unemployed Father program. The Act provided that certain education or training programs might qualify as quarters of work for AFDC eligibility purposes.
- 1984 Deficit Reduction Act (DEFRA) of 1984**, PL 98-369, enacted on July 18, 1984 instituted significant changes to the AFDC program. The 185% of Need eligibility test was created, the \$75 work expense deduction was applied to both full- and part-time employment, the \$30 + 1/3 earned income disregard was limited to 4 months followed by a \$30 disregard for 8 months, and the term "earned income" was defined to mean gross income before deductions. Burial plots, funeral arrangements, and real property which a family was making a good faith effort to sell, were excluded as resources. Retrospective budgeting was made mandatory for monthly reporting households, but optional for other cases; monthly reporting was made mandatory for families with a recent work history or earned income, EITC was declared to be an excluded income, and women in the third trimester of pregnancy were excluded from participation in the WIN program. Lump sum income ineligibility rules were changed to allow recalculation of the period of ineligibility when an event occurs that would have changed the family's need for that month, the money became unavailable, or the family incurred medical expenses, which offset the lump sum. Overpayment recovery was waived when the debt was exceeded by the cost of recovery, aliens became ineligible for 3 years when their sponsor was a public or private agency, and information disclosure to law enforcement was permitted when the AFDC recipient was a fugitive felon. The Act established the \$50 child support pass-through payment and the exclusion of the earned income of a full-time child for 6 months for purposes of the AFDC gross income test.

**Child Support Enforcement Amendments of 1984**, PL 98-378, signed into law on August 16, 1984 provided 4 months of continued Medicaid eligibility for families that lost AFDC eligibility because of the collection or increased collection of child support.

- 1983 Social Security Amendments of 1983**, PL 98-21, became law on April 20, 1983 and amended Title IV to exclude from the definition of "income," any support or maintenance assistance furnished to a family based on need, including home energy assistance.

**Supplemental Appropriations Act, 1984**, PL 98-181, became law on November 30, 1983 and declared that utility payments made by persons living in federally-assisted low-income housing projects were to be considered rental payments for purposes of determining eligibility and payment amount under the AFDC program.

## Appendix 5 Welfare History Overview

- 1982 Job Training Partnership Act (JTPA)**, PL 97-300, enacted on October 13, 1982 established participation targets for AFDC recipients, aged 16 and older, in Adult and Youth programs, and provided earnings disregards for child participants.
- Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982**, PL 97-248, was enacted on September 3, 1982 and amended AFDC eligibility to allow rounding benefits down to the next lower whole dollar, eliminated payment of benefits for a whole month when eligibility was determined later in the month, and required states to not consider a parent absent from the home due to active duty in a uniformed service. With this Act, states were now allowed to require employment search as an eligibility criteria and could prorate need and payment standards for children living with other non-applying individuals.
- 1981 Omnibus Budget Reconciliation Act (OBRA) of 1981**, PL 97-35, was signed into law on August 13, 1981 and allowed welfare-to-work demonstration projects to begin in many states. States could now require welfare recipients to go into training, job search, or unpaid work experience in exchange for their AFDC grants. It revised the method for determining earned income by changing the order in which the work expense, child care, and \$30 & 1/3 disregards were applied in order to maximize the amount of countable income to be deducted from the grant. It eliminated payments for work-related child care expenses and implemented a new child care expense deduction to be deducted from earned income. The \$30 & 1/3 earned income disregard was restricted to 4 months and the recipient was required to be off AFDC for 12 months before being eligible to receive the disregard again. The Act prohibited grant payments below \$10, instituted the “principal wage earner” concept for eligibility determinations, thereby replacing references to “mother” and “father” in compliance with *Westcott v. Califano*. It permitted AFDC payments to a pregnant woman (with no other eligible child) during her last month of pregnancy or within the following three-month period if the child would be eligible for AFDC. With this Act, OBRA began determining monthly eligibility based upon the resources at hand during the month and the monthly benefit amount based upon the income and resources of the prior month.
- 1979 U.S. Supreme Court Decision *Westcott v. Califano*** ruled in June 1979 that Section 407 of the Social Security Act regarding unemployed fathers was unconstitutional because of the discriminatory nature of the gender distinction. The court extended benefits of the AFDC-Unemployed Father program to similarly situated unemployed mothers, thereby removing the gender distinction.
- 1970 Federal regulations** required states to guard against payments to ineligible welfare applicants. States were now required to monitor their active AFDC caseloads, compute errors made in determining eligibility, and pay penalties for high error rates.
- 1967 Amendments to the Social Security Act** established the **Work Incentive Program (WIN)**, which added employment services to AFDC, and directed states to emphasize work rather than welfare.
- 1963 Medicaid and Food Stamp** programs were created; AFDC recipients were automatically eligible for both programs.

## Appendix 5 Welfare History Overview

- 1961 Amendments to the Social Security Act** led to a new emphasis on social services. Families with two parents were now able to receive AFDC based upon the unemployment of the father (AFDC-Unemployed Father). Welfare caseloads began to grow, for both one- and two-parent families.
- 1935 The Aid to Dependent Children (ADC)** program (later known as **Aid to Families with Dependent Children or AFDC**) was created as part of Social Security Act. AFDC supported poor children whose parents were dead, absent, or incapacitated.

### Washington State Legislative History

**2014 House Bill (HB) 2585, Temporary Assistance for Needy Families (TANF) – Benefits for a Child** was signed into law on March 27, 2014. The bill created greater parity for non-parental caregivers by amending RCW 74.12.037 to allow a 50% unearned income disregard for TANF child-only cases involving non-parental caregivers, many of whom are kinship caregivers (such as a grandparent, aunt, uncle or other relative). This change is intended to ease the financial burden for these families, as many non-parental caregivers live on fixed incomes. The effective date for implementation of the 50% unearned income disregard for non-parental caregivers was November 1, 2014.

**Senate Bill (SB) 6573, Changing the Effective Date of Modifications to the Aged, Blind, and Disabled (ABD) and the Housing and Essential Needs Programs** was signed into law on April 3, 2014. A statutory change in 2013 directed DSHS to determine program eligibility for the ABD program using less restrictive standards for the duration of a person's disabling condition (from 12 months to 9 months) and consideration of past work (from 15 years to 10 years) during the period of January 2014 through June 2015. Enacting SB 6573 into law changed the date for reverting to the more restrictive standards for program eligibility from July 1, 2015 to July 1, 2014.

**Engrossed Substitute Senate Bill (ESSB) 6002, the 2014 Supplemental Operating Budget** was signed into law on April 4, 2014. A number of WorkFirst policy changes were funded through the supplemental operating budget:

- (1) Implementation of a 15% incentive payment, beginning April 15, 2015, to WorkFirst households that participate in their Individual Responsibility Plan (IRP) for 20 hours or more a week;
- (2) Implementation of a TANF home visiting service for at-risk expectant parents, families with newborns and young children under age 5, and families receiving Rapid Rehousing services. These home visits promote healthy child development and address issues such as maternal and child health, positive parenting, and safe home environments.
- (3) Increased funding for work study through the community and technical colleges for WorkFirst clients;
- (4) Modified the Additional Requirements for Emergent Needs (AREN) program to a maximum of \$750 per household in a 12-month period rather than in a lifetime;

## Appendix 5 Welfare History Overview

- (5) Modified the WorkFirst sanction policy from a four-month period to a two-month period and implemented a home visit program for clients who do not attend an in-person meeting regarding their IRP prior to termination for non-compliance;
- (6) Adjusted funding for the Diversion Cash Assistance (DCA), Tribal TANF Maintenance of Effort (MOE), and WorkFirst contracts;
- (7) Gave one-time funding to complete Lean process projects and technical assistance visits to local Community Service Offices (CSOs); and
- (8) Implemented a mandatory Orientation for WorkFirst clients.

**2013 Substitute House Bill (SHB) 2069, Continuation of Safety Net Benefits for Persons Determined to Have a Physical or Mental Disability** was signed into law on June 30. The bill redefined eligibility for the Aged, Blind or Disabled (ABD) program by making it less restrictive than SSI disability criteria, reducing the minimum incapacity duration from 12 to nine months, and reducing consideration of an individual's ability to perform past work from 15 to 10 years. The less restrictive disability standard will be in place for 18 months only, from January 1, 2014 through June 30, 2015. After that, the program will revert back to the more restrictive standards now in place. The bill also replaced the current mechanism for determining potential eligibility for Housing and Essential Needs (HEN). To be potentially eligible for HEN currently, an individual must receive Medical Care Services (MCS). SHB 2069 replaced the MCS requirement for HEN with an incapacity determination by DSHS intended to identify individuals who are "eligible for referral" to HEN services. MCS eligibility was also narrowed to only ABD and HEN recipients who are ineligible for Medicaid expansion. The effective dates for these changes range from January 1, 2014 to July 1, 2015 (Section 2 only).

**Second Engrossed Substitute House Bill (2ESSHB) 1971, Concerning Communications Services Reform** was signed into law on June 30. The bill repealed the excise tax that funds the Washington Telephone Assistance Program (WTAP) and required the program to be funded by a biennial State General Fund appropriation. It prohibited WTAP enrollment from exceeding appropriated funds for the program and required DSHS to close WTAP if there was a danger of overspending. The effective date for the legislation is August 1, 2013.

**Second Engrossed Substitute Senate Bill (2ESSB) 5595, New Customer Service Standards for Working Connections Child Care** was signed into law on May 23. The bill required the Department to: provide training on professionalism to employees working with parents who apply for or are receiving WCCC; return WCCC-related telephone calls to parents within two business days; develop an electronic process by which WCCC parents can submit required forms and information; provide 10 day advance notice to providers and parents of loss of WCCC benefits; and provide parents with easy to understand information on the services they are eligible for, hearing rights, and the parent's responsibilities in obtaining and maintain eligibility for WCCC. The effective date for the bill is July 28, 2013.

**Engrossed Second Substitute House Bill (E2SHB) 1723, Expanding and Streamlining Early Learning Services and Programs** was signed into law on May 21. The bill put into statute the 200% FPL income eligibility threshold for Working Connection Child Care (WCCC) program. It also required an increase in the base rate for WCCC providers, provided tiered rate enhancements to providers who meet specific requirements, and increased the subsidy rate for

## Appendix 5

### Welfare History Overview

WCCC providers who enrolled in Level 2 of the Early Achievers program. The effective date for the rate changes is September 1, 2013.

- 2012 Third Engrossed Substitute House Bill (3ESHB) 2127, the supplemental budget** was enacted and made the following changes: (1) TANF Payment Standard – the maximum TANF cash grant increased from \$726 to \$941 for families of 6 or more; (2) Food Assistance Program (FAP) for Legal Immigrants – funding was provided at 50% of the benefit level for the federal Supplemental Nutrition Assistance Program (SNAP); (3) Child Care Subsidy Program eligibility increased from 175% to 200% FPL and certifications increased from 6-month to 12-month periods; (4) WorkFirst Services – funding was reduced by about \$821,000 (1.1%); (5) DCS – funding was provided for 16 additional FTEs in SFY 2013 (effective July 1, 2012) to increase the amount of child support collected and retained by the state; and (7) DEL – provided \$100,000 for contracts with independent consultants to evaluate and recommend optimum system for the eligibility determination process for child care, with a report due to the Office of Financial Management and Legislature by December 31, 2012.
- 2011 Engrossed Second Substitute Senate Bill (ESSB) 5921** was enacted to make fundamental reforms to the WorkFirst program. This legislation: (1) suspended work participation for parents of one child under age two or two children under age six from July 1, 2011 through June 30, 2012; (2) created a Legislative-Executive WorkFirst Oversight Task Force to oversee implementation of the WorkFirst TANF redesign; (3) established an income eligibility of 300% FPL for non-parental Child-Only TANF cases and established a sliding scale benefit standard for a child when the caregiver’s income is above 200% but below 300% FPL; (4) prohibited DSHS from counting SSI income when determining TANF eligibility; (5) imposed the 60-month time limit on all parents of children who receive Child-Only TANF, provided this was “consistent with federal funding requirements and makes hardship extensions available to these parents effective September 1, 2011;” (6) allowed DSHS to implement a permanent disqualification for adults who had been terminated due to a WorkFirst noncompliance sanction three or more times since March 1, 2007; (7) added voluntary service at a licensed child care, preschool or elementary school where the parent’s child is enrolled as an allowable work activity and allowed parenting or life skills education; (8) made it a condition of eligibility for child care subsidy programs that the applicant or recipient must seek child support enforcement services from the DSHS Division of Child Support, unless DSHS finds that the applicant or recipient has good cause not to cooperate; (9) required DSHS and DEL to develop a plan for monitoring WCCC attendance, to be implemented by January 2013, and conduct an assessment of current subsidized child care eligibility, reporting on both to the Legislature by December 31, 2011; (10) required DSHS, in consultation with its EBT contractor and others, to strategize how to help recipients maintain bank accounts, increase their financial literacy and financial management skills, and minimize their ATM fee costs with report due to Legislature by December 1, 2011; (11) required DSHS, in its EBT contracts, to require that any surcharge or transaction fee be disclosed to clients at the point of transaction; (12) expanded prohibitions on use of EBT cards, limits use of card to recipients, forbade sale of cards, and made violators subject to a possible civil penalty; (13) required certain businesses to disable ATMs and point-of-sale machines by January 1, 2012; (14) established an Office of Fraud and Accountability (OFA) in the Secretary’s office, with responsibility to: conduct independent investigations, refer to law enforcement when appropriate, maximize overpayment collections; recommend new policies and procedures to mitigate the risk of fraud and abuse; analyze alternatives to the cash benefit delivery system;

## Appendix 5

### Welfare History Overview

determine appropriate deployment of investigative resources; and report to the Legislature by December 31, 2011; and (15) DSHS was directed to establish an incentive pilot that would give staff who work directly with clients an additional eight hours of paid leave for helping clients reach outcomes to be determined by DSHS. While the Governor vetoed Section 3 of the bill regarding competitive performance-based contracting, the Governor directed the Department of Social and Health Services and the WorkFirst Subcabinet to act on the Legislature's direction in 2ESHB 1087 to competitively contract all work activities under the 1997 law.

**Engrossed Substitute House Bill (ESHB) 2082** was enacted to make fundamental reforms to the Disability Lifeline program. The key provisions included: (1) all components of the Disability Lifeline program were terminated effective October 31, 2011; (2) the Aged, Blind, or Disabled Assistance (ABD), Pregnant Women Assistance, and Essential Needs and Housing Support programs were created effective November 1, 2011 (to be eligible for the ABD program, a person must be aged 65 or older, be blind by SSI standards, or likely to meet the SSI disability standard); (3) individuals who were eligible for Medical Care Services (MCS) would be referred to the Essential Needs and Housing Support program (no cash grant was provided under this program); (4) the Department of Commerce was required to provide services under the Essential Needs and Housing Support program; (5) individuals who were eligible for the Aged, Blind, or Disabled Assistance and Pregnant Women Assistance programs would now be eligible for cash assistance and medical benefits; (6) ESHB 2082 allowed the Health Care Authority (HCA) to freeze new MCS enrollments and establish a waiting list if it appeared that continued enrollment would result in MCS expenditures exceeding the appropriated level for a particular fiscal year; and (7) DSHS was now required to review the cases of all persons who received Medical Care Services benefits for 12 months and annually thereafter to determine whether they would meet the standards for the ABD program.

**Engrossed Second Substitute House Bill (E2SHB) 1267** amended the state version of the Uniform Parentage Act and clarified and expanded the rights and obligations of state registered domestic partners and other couples related to parentage. The bill used non-gender-specific terminology and referred to a "parent" instead of "mother" or "father," and "person" instead of "woman" or "man." An exception, based on the child support program's state plan under Title IV-D of the Social Security Act, was made for the paternity acknowledgment process, which provided that the mother of a child and a man claiming to be the genetic father of a child could sign an acknowledgment of paternity with intent to establish the man's paternity. This bill became effective July 22, 2011.

**2010 Substitute House Bill (SHB) 2684** was enacted to establish an Opportunity Employment and Education Center (OCEE) within the Seattle Community College District, which would house various educational and social services providers in order to integrate access to benefit programs and services. The bill also required the State Board for Community and Technical Colleges (SBCTC) to make recommendations on the location of an additional center by December 1, 2010. The center is required to provide services including Basic Food, TANF and WorkFirst, general assistance, and SSI facilitation. This bill became effective June 10, 2010. The OCEE is located on the campus of the North Seattle Community College.

**Engrossed Second Substitute House Bill (E2SHB) 2782** was enacted containing three distinct provisions: (1) It required the creation of an "Opportunity Portal," a web-based universal



## Appendix 5

### Welfare History Overview

application/benefit portal that would make it easier for low-income families and individuals to apply for and access a broad array of services and benefits. Creation of the “Opportunity Portal” was contingent upon the state securing private funding by December 2010; (2) It required the expansion of the Basic Food Employment and Training program to three additional community colleges or community-based locations and increased capacity at existing locations, subject to federal approval. Recipients of Basic Food, unless exempt, were required to participate in the program which included job search workshops and assistance with job placement; (3) It required DSHS to end the General Assistance program and create the Disability Lifeline program. Major changes to the program included a new name; implementing time limits of 24 months out of 60 months, effective September 1, 2010 through June 13, 2013; creating a housing voucher program that will be administered by the Department of Commerce; requiring the development and use of a new assessment tool which must be used to determine whether Division of Vocational Rehabilitation programs could assist Disability Lifeline recipients in returning to work; requiring DSHS as part of the application process to ask the applicant if they ever served in the in the US military and if so, DSHS was required to confer with the state or federal Department of Veterans Affairs to determine whether the applicant was eligible for any benefits or programs offered to veterans; and requiring DSHS to contract with a managed health care system or other qualified entity to operate a project aimed at screening and quickly transitioning individuals with a disability who are likely to qualify for federal disability benefits into the Disability Lifeline Expedited Program, now known as GA-X. The pilot began in King, Pierce and Spokane counties July 1, 2010 and was to be expanded statewide by October 1, 2011. This bill became effective March 29, 2010.

**Engrossed Second Substitute House Bill (E2SHB) 3141** was enacted requiring a 12 month child care authorization period for children in the Working Connections Child Care program who were enrolled in the Early Childhood Education and Assistance Program (ECEAP), Head Start, and Early Head Start. The change was effective July 1, 2010. The Governor vetoed other sections of the bill, including the section requiring a proposal for implementing three pathways for WorkFirst, Washington’s TANF program, which focused on employment, education and training and disability support. With the signing of the bill, the Governor directed the WorkFirst Subcabinet to develop a redesign plan for WorkFirst that meets the needs of WorkFirst families to obtain employment and achieve family self-sufficiency. The target date for completing the TANF Redesign plan was December 2010. This bill became effective June 10, 2010.

**Substitute House Bill (SHB) 3016** was enacted to clarify certain sections of the Revised Code of Washington (RCW) dealing with modification of child support orders to provide that DSHS was required by federal law to review and modify child support orders, regardless of whether the family received public assistance and was already authorized to do so in other sections of the RCW, but was now specifically authorized to take such actions in these sections. In addition, the bill allowed for telephonic appearances by parties to an action to modify or adjust a child support order. This bill became effective June 10, 2010.

**Second Substitute House Bill (2SHB) 2603** was enacted requiring a state agency to furnish a small business with a copy of any state statute or rule that it has failed to follow before the agency can impose a fine, civil penalty, or administrative penalty for noncompliance. This bill required DSHS to revise its forms used for noncompliance actions in order to provide small

## Appendix 5

### Welfare History Overview

businesses with copies of the state statutes for which it may impose penalties for noncompliance. This bill became effective June 10, 2010.

**Substitute Senate Bill (SSB) 6893** suspended the child support pass-through effective May 1, 2011.

**2009 House Bill (HB) 1270** was enacted allowing DSHS and HCA to adopt electronic signatures for online applications for benefits. This provision became effective July 26, 2009.

**Substitute Senate Bill (SSB) 6024** was enacted which eliminated the 45-day processing timeframe for General Assistance applications filed by a person confined in a correctional facility or institution. The provision became effective November 1, 2009.

**Substitute House Bill (SHB) 2071** allowed DSHS to continue to decide whether education and training (including higher education) for a WorkFirst recipient was appropriate. SHBS 2071 encouraged DSHS to make more use of education and training opportunities, but referred to moving the recipient into full-time WorkFirst activities as quickly as possible; giving DSHS the latitude to make the decision on what would be the best activity for the recipient. The Bill required DSHS to describe services available to the recipient either during or after WorkFirst to enable the recipient to not only obtain and keep employment, but advance in the workplace and increase wage earning potential over time. This bill became effective July 26, 2009.

**Engrossed Substitute House Bill (ESHB) 1244**, the operating budget required DSHS to make the following changes: (1) in regions with high numbers of GA-U clients, coordination with local workforce development councils to expedite access to worker retraining programs; (2) identify GA-U clients who would be eligible for federal disability benefits if they became a naturalized citizen, and give them priority to naturalization services funded through DSHS; (3) work with the Washington State Department of Veterans' Affairs (DVA) to develop a process for referring GA-U clients who may be eligible for veteran's services; (4) outstation DVA staff in selected Community Services Offices in King and Pierce counties to facilitate applications for veteran's services; (5) intensively evaluate persons who have received GA-U for more than 12 months. For those with an impairment that would not qualify for federal disability benefits, the Bill allowed expedited referrals to services that can eliminate or minimize barriers to employment, like mental health treatment, substance abuse treatment, and vocational rehabilitation services that are available through the Division of Vocational Rehabilitation; (6) implement 50% earned income disregard for GA – same as TANF; and (7) ten additional SSI Facilitators.

**Substitute House Bill (SHB) 1845** implemented federal regulations concerning medical child support obligations. All child support orders had to require both parents to provide medical support for any child named in the order. Medical support consisted of health insurance coverage and cash medical support, which consisted of a parent's proportionate share of uninsured medical expenses and, if the obligated parent did not provide health insurance coverage, could include a monthly payment toward the premium paid by the other parent or the state for coverage for the child. The court could waive the coverage requirement for one parent under appropriate circumstances; the requirement to contribute a parent's proportionate share of uninsured medical expenses could not be waived for either parent. This bill became effective October 1, 2009.

## Appendix 5

### Welfare History Overview

**2008 Engrossed Substitute House Bill (ESHB) 2687**, the operating budget, was enacted effective July 1, 2008. Section 207 of the budget: (1) provided a 3% grant increase to TANF/CEAP households for increased housing costs; (2) increased the gross income limit for Basic Food eligibility to 200% FPL; and (3) provided five additional SSI Facilitators for the General Assistance program.

**Senate Bill (SB) 6950** provided a limited waiver or suspension of statutory obligations during officially declared emergencies. Section 201 expanded eligibility for Consolidated Emergency Assistance Program (CEAP) benefits to individuals without children during a Governor-declared state of emergency. The Bill provided the foundation for the Disaster Cash Assistance Program.

**2007 Substitute Senate Bill (SSB) 5244** was enacted authorizing statutory changes needed to implement child support provisions of the federal Deficit Reduction Act of 2005. These included limiting child support assignment to the months that the family received TANF and “pass through” to the family of up to \$100 per month for one child and \$200 per month for two or more children – “pass through” must be disregarded as income for the TANF program. Both these provisions become effective October 1, 2008. The bill also required DSHS to pursue enforcement of medical support against either or both parents.

**Second Substitute Senate Bill (2SSB) 6016** was enacted allowing a parent to be exempt from WorkFirst participation requirements while a child was under 12 months old, but limiting the exemption to 12 months in the parent’s lifetime (the federal limit). The bill allowed DSHS to require the parent to participate in part-time mental health, alcohol or drug treatment, domestic violence services, or parenting education or skills training during the exemption period if indicated by an assessment. Parenting skills training could now include voluntary home visitation services, if available.

**Substitute Senate Bill (SSB) 5830** directed DSHS to work with the Washington Council for the Prevention of Child Abuse and Neglect (WCPCAN), Department of Health, Department of Early Learning, and Family Policy Council to coordinate or consolidate home visitation services for children and families. These services were now required to address risk-factors for child abuse and neglect and poor education outcomes for children, including family poverty and lack of parental education and job skills.

**Second Substitute House Bill (2SHB) 1088** required DSHS to collaborate with county juvenile court administrators and the Juvenile Rehabilitation Administration to conduct expedited medical determinations and restore medical assistance on release for youth confined in a JRA or county-run juvenile detention facility. Youth to be served were any who received medical assistance prior to entering the institution or detention facility or who were “likely to be eligible upon release.”

**Second Substitute House Bill (2SHB) 1201** provided Medicaid coverage to individuals between the ages of 18 and 21 who aged out of foster care or an out-of-home placement at age 18. It required DSHS to help youth approaching age 21 to apply for the Basic Health Plan.

**Substitute Senate Bill (SSB) 5093** was enacted as part of the Governor’s plan for all children in Washington State to have health care coverage by 2010 and to improve access. It required

## Appendix 5

### Welfare History Overview

DSHS to simplify and streamline applications and review processes to avoid breaks in coverage, expand coverage to include children in families at higher income levels and to cover children not eligible for Medicaid, charge premiums or make unsubsidized coverage available to children in higher income families, participate with the Department of Early Learning, Department of Health, local public schools and others, in education and outreach efforts, and develop a feasibility study and implementation plan for an online medical assistance application integrated with the Automated Client Eligibility System (ACES). It allowed DSHS to freeze enrollment for non-Medicaid-eligible children and for children in higher income families. The SFY 2008 budget provided ESA with funding for increased workload and to out-station eligibility workers in support of outreach efforts.

**Pathway to Engagement Budget Proviso** required DSHS to collaborate with community partners and represented staff to identify additional services for WorkFirst parents in sanction status and families whose WorkFirst cash benefits had ended as a result of a non-compliance sanction. Services were required to be complementary to services already provided by DSHS, voluntary for parents, and delivered through performance-based contracts with community-based organizations.

**WorkFirst Career Services Budget Proviso** authorized DSHS to establish a post-TANF work transition program.

**2006 Engrossed Second Substitute House Bill (E2SHB) 1290** was enacted requiring expedited eligibility determinations and timely access to medical assistance for persons with mental disorders being released from confinement. Additionally, it required collaboration with the Washington Association of Sheriffs and Police Chiefs (WASPC), the Department of Corrections (DOC), and the Social Security Administration (SSA) to develop processes and procedures for coordination. DSHS was directed to phase in the new procedures on a statewide basis and continue to evaluate funding needs as the program is implemented.

**Substitute House Bill (SHB) 2394** was enacted which required the Department of Social and Health Services to start assessing WorkFirst parents for financial literacy during the comprehensive evaluation effective January 1, 2007. The Bill directed DSHS to offer referrals to financial literacy services available in the local communities to all WorkFirst parents to assist them in becoming self-sufficient and financially stable.

**Medicaid Treatment Child Care (MTCC) Budget Proviso** required DSHS to contract for MTCC services and authorize care for eligible children referred by TANF caseworkers and public health nurses.

**2005 Engrossed Second Substitute Senate Bill 5213** was enacted exercising the state option to exempt individuals convicted of a drug-related felony from the Temporary Assistance for Needy Families (TANF) ban on receipt of benefits. The statutorily mandated effective date was September 1, 2005.

**2004 Senate Bill 6411** required DSHS to implement simplified reporting for the Basic Food program beginning October 2004. In addition, Basic Food eligibility restrictions for persons convicted of a

## Appendix 5

### Welfare History Overview

drug-related felony were removed effective July 2004. The restriction prohibiting fleeing felons from receiving Basic Food is still applicable.

- 2003 Substitute House Bill (SHB) 1624** was signed into law on May 7, 2003 permanently authorizing the Washington Telephone Assistance Program (WTAP), which was scheduled to expire on June 30, 2003. In addition to permanently authorizing the WTAP program, effective July 1, 2003, the program was expanded to include Community Service Voice Mail (CSVM) as a component. DSHS was directed to enter into an agreement with the Department of Community, Trade and Economic Development to provide a portion of the WTAP budget for operation of CSVM which will provide homeless individuals with a community service voice mail box.
- 1999 WorkFirst Study - 3000 Washington Families** began in 1999. This 5-year longitudinal study was based on a sample of 3,000 WorkFirst clients, and was conducted by the Employment Security Department, University of Washington, and Washington State University.
- 1997 Engrossed House Bill (EHB) 3901, the Washington WorkFirst Temporary Assistance for Needy Families Act (TANF)**, was signed into law on April 17, 1997. It established the **WorkFirst** program in Washington State and replaced the Aid to Families with Dependent Children (AFDC) program. The Success Through Employment Program (STEP) Waiver 48 of 60-Month Time Limit was repealed and replaced with a five-year lifetime limit for cash assistance. The earned income exemption was increased to 50% of gross wages, overpayments due to retrospective budgeting are eliminated, and the 100% of Need test is eliminated. The vehicle equity limit was raised to \$5,000, a vehicle used to transport a disabled individual is totally exempt, and savings accounts up to \$3,000 are allowed. Pregnant teen and teen parent requirements for education went into effect. Diversion services were implemented as an alternative to cash assistance. DCS non-cooperation sanction was replaced with a 25% grant reduction and eligibility review cycles were extended from six to twelve months. Various child support enforcement remedies required by PRWORA were adopted. The bill created the DCS license suspension program for delinquent child support obligors, and provided for license suspension as a sanction for a person who, or entity which, fails to comply with a DCS withholding notice, lien or subpoena.
- 1995** As required by E2SHB 2798, the **Success Through Employment Program (STEP)** waiver application was submitted to Department of Health and Human Services (DHHS) on January 30. The proposed project start date was July 1, 1995, end date June 30, 2005, and project area was statewide. The waiver requested permission to establish length of stay grant reductions and elimination of the 100-hour rule.
- 1994 Engrossed Second Substitute House Bill (E2SHB) 2798, Welfare System Reform**, was enacted on April 2, 1994, and addressed the issues of lengthy stays on welfare, lack of access to vocational education and training, inadequate emphasis on employment by the social welfare system and teen pregnancy as obstacles to achieving economic independence. DSHS was instructed to (1) reduce AFDC grants by 10 percent per year for some families that received welfare for 48 out of 60 months, (2) waive the 100-hour rule for AFDC recipients, (3) train staff to emphasize the expectation that recipients will enter employment, and (4) determine the most appropriate living situation for unmarried pregnant teens who receive public assistance. Target populations included applicants and recipients who received AFDC for 36 of the preceding 60 months, custodial parents under the age of 24 who have not completed high

## Appendix 5

### Welfare History Overview

school or who had little or no work experience, and families in which the youngest child was within 2 years of being ineligible for AFDC because of age. DSHS was directed to seek approval from the Department of Health and Human Services (DHHS) for implementation of the time limit provisions, waiver of the 100-hour rule for recipients, and statewide implementation (known as the STEP Waiver). The Employment Partnership Program (EPP) was modified to allow contracting out to public or private nonprofit organizations. In addition, authority to establish wage subsidy projects to enable AFDC grants to be paid as wage subsidies was moved from the Employment Security Department to DSHS. It established authority for a child's irrevocable trust account, with a limit of \$4,000, for future educational use. DSHS was directed to actively develop mechanisms to refer disabled persons currently receiving AFDC to the federal Supplemental Security Income (SSI) program.

- 1993** **House Bill (HB) 1197** instructed DSHS to (1) "segment" the AFDC population, (2) match services to the needs of each segment, (3) focus AFDC on employment, and (4) seek federal waivers that allowed families to keep more of their earnings from employment while receiving AFDC.

The Urban Institute's final evaluation of the **Family Independence Program (FIP)** found that participants worked *less*, stayed on welfare *longer*, and returned to welfare *sooner* than AFDC participants. However, the evaluation found that providing cash rather than Food Stamps saved state administrative costs without apparently increasing risk to nutrition.

- 1990** Washington implemented the federal **Family Support Act of 1988**, PL 100-485, establishing the **Job Opportunities and Basic Skills (JOBS)** program. Participation was voluntary for welfare recipients.

- 1987** **Family Independence Program (FIP)**, a 5-year welfare reform demonstration, began in 1987. FIP provided (1) financial incentives to obtain education, training, and employment, (2) cash rather than Food Stamps, (3) social services during FIP participation, and (4) childcare and medical coupons for 12 months after exiting, if the recipient left FIP with employment. The Urban Institute of Washington D.C. was hired as the outside evaluator of the FIP demonstration.

**The Family Income Study** began. This 5-year longitudinal study was based on a sample of 2,000 AFDC clients and low-income families, and was conducted by the Washington State Institute for Public Policy and Washington State University.

## Appendix 6

### Changes in Cash Grant Assistance Programs and Funding Due to Welfare Reform

On August 22, 1996, President Bill Clinton signed into law the *Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996* that created the Temporary Assistance for Needy Families (TANF) program, thereby replacing the Aid to Families with Dependent Children (AFDC) and the Job Opportunities and Basic Skills (JOBS) programs. Under PRWORA, each state is required to operate a Title IV-D Child Support program in order to be eligible for TANF funds. On April 17, 1997, Governor Gary Locke signed into law the *Washington WorkFirst Temporary Assistance for Needy Families Act*, creating the WorkFirst program, Washington State's TANF program. The WorkFirst program went into effect in August 1997. These two federal and state laws resulted in major program and funding changes.

On August 5, 1997, President Clinton signed into law the *Balanced Budget Act (BBA) of 1997* which made numerous technical corrections to PRWORA. Funding and spending requirements included: (1) limiting the amount of TANF funds that can be transferred to Title XX – Social Services Block Grant (SSBG) to 10% of the TANF block grant, and removing the requirement to transfer \$2 to the Child Care & Development Block Grant (CCDBG) for every \$1 transferred to the SSBG; (2) modification of the MOE requirements for the Contingency Fund; and (3) modification of TANF work participation penalties so that the penalty amount is 5% in the first year, and increasing by 2% per year up to 21% maximum.

On February 8, 2006, President George Bush signed into law the *Deficit Reduction Act of 2005* reauthorizing the Temporary Assistance for Needy Families (TANF) program with a renewed focus on work, program integrity and strengthening families through healthy marriage promotion and responsible fatherhood. Work activities were defined along with procedures for counting and verifying reported hours. The reauthorization was scheduled to expire on September 30, 2010.

On February 17, 2009, President Barack Obama signed into law the *American Recovery and Reinvestment Act (ARRA) of 2009*, which provided funding in several key areas: (1) Supplemental Nutrition Assistance Program (SNAP) - providing a 13.6 percent increase in the maximum benefits (Basic Food); (2) TANF – making numerous changes to the TANF program by establishing a TANF Emergency Contingency Fund to provide additional funds to states that experience an increase in (a) their TANF caseload and expenditures, (b) short-term non-recurring benefits, or (c) subsidized employment programs. States were eligible to receive 80% of the increase in expenditures between FFY 2007 and FFY 2008 (whichever is less) and FFY 2009. Funding was available for FFY 2009 and 2010 and was limited to 50% of the combined annual TANF awards for the 2 year period; and (3) modifying the TANF carry-forward rules to allow states to carry forward unexpended TANF and emergency contingency funds to the next year without the requirement to spend them on assistance.

#### **Program and Policy Changes<sup>1</sup>**

1. Welfare ceased to be an entitlement (as it was under AFDC and JOBS); instead, participation in TANF required a five-year limit. The five-year limit affected the first clients in Washington in August 2002.

---

<sup>1</sup> See Appendix 8 for a chronological listing of the detailed changes.

## Appendix 6

### Changes in Cash Grant Assistance Programs and Funding Due to Welfare Reform

2. The Economic Services Administration of DSHS works with three partner agencies to provide services to WorkFirst clients.
3. Native American Tribes were granted an option in the federal law to operate their own TANF program, including cash grants and employment and training. The tribes are required to apply to the federal government and, if certified, receive federal funds. The state identifies and negotiates funding for each tribe. Currently, eleven Tribes have elected to operate their own programs.
4. Federal assistance to some legal immigrants was barred or restricted. The State Family Assistance (SFA) and Food Assistance Program (FAP) was created by the Legislature to help legal immigrants.
5. Child care subsidy programs for welfare and low-income families were consolidated into the Working Connections Child Care (WCCC) program. Child care requires a co-payment.

#### Funding Changes

1. The TANF block grant replaced Title IV-A (AFDC and CEAP) and IV-F (JOBS) entitlement-based federal funding.
2. The Child Care Development Fund (CCDF) consolidated child care funding that was previously provided to the State through the Child Care and Development Block Grant (CCDBG) and Title IV-A of the Social Security Act.
3. A requirement to spend an amount of state dollars, known as the Maintenance of Effort (MOE), replaced previous federal requirements to match a percentage of program costs with state funds. There is a MOE requirement for TANF and the CCDF block grant. Federal matching funds still exist in Food Stamps, Medicaid and one CCDF child care funding stream.
4. Total funds available to the General Assistance program were lidded with instructions in the law to limit eligibility factors to control costs.

#### Funding Details

Washington's TANF block grant was initially **\$404,331,754** per year. The amount of the block grant is based on the amount of the Title IV-A and Title IV-F funds, AFDC Assistance, Emergency Assistance (EA), JOBS, and AFDC administration claimed by Washington State in FFY 1994, plus a portion of the increase of FFY 1995 EA over FFY 1994 EA.

The block grant amount was lowered by penalties or awards to Tribes electing to operate a Tribal TANF program. Since the initial grant award of **\$404,331,754**, Washington's TANF grant amount was reduced by **\$23,786,786** in Tribal TANF awards to **\$380,544,968**.

The TANF program has a cost-sharing requirement referred to as Maintenance of Effort (MOE). States must expend state funds equal to the amount of the State's 1994 expenditures for the AFDC, EA, AFDC-related child care, transitional child care, At-Risk Child Care, and JOBS programs. The Department of Health and Human Services (HHS) has set the amount at \$362,747,765. This amount is reduced when Tribal TANF programs are operating in the state. In FFY 2014, the base



## Appendix 6

### Changes in Cash Grant Assistance Programs and Funding Due to Welfare Reform

MOE level was reduced by \$21,340,405, for Tribal TANF programs operating in the state to **\$341,407,360**.

In general, states must spend state funds in an amount equal to at least **80%** of the amount spent on these programs in FFY 1994, as adjusted for Tribal TANF programs; however, if a state meets the required work participation rates, then it only needs to expend **75%** of the amount spent in FFY 1994, as adjusted for Tribal TANF programs.

For FFY 2014, Washington MOE spending was 80% of the adjusted FFY 1994 spending level, or **\$273,125,888**.

Similar to the TANF block grant, the TANF Contingency Fund has a MOE requirement based on the State's 1994 expenditures, except these expenditures cannot include those made for child care and separate state programs. This MOE level, equal to 100% of the historic amount, was initially set by HHS at \$312,193,104. Beginning with FFY 2011, the Administration for Children and Families (ACF) reduced this amount to \$310,648,321.

HHS also set the MOE requirement for the CCDF block grant, based on state expenditures in FFY 1994. The CCDF MOE amount was **\$38,707,605** for FFY 2014.

## Appendix 7

### Child Support Federal Legislative History

- 2014** Public Law (PL) 113-183, the **Preventing Sex Trafficking and Strengthening Families Act**, made changes to Title IV-D of the Social Security Act to require states to adopt the 2008 version of the Uniform Interstate Family Support Act (UIFSA), as well as other changes intended to improve interstate and international child support recovery. This law grants Indian tribes access to the Federal Parent Locator Service (FPLS), and expresses the sense of Congress that establishing parenting plans (child custody arrangements) when obtaining child support orders is “an important goal which should be accompanied by strong family violence safeguards,” and that states should use existing funding sources to support the establishment of parenting time arrangements.
- 2011** Public Law (PL) 111-291, the **Claims Resolution Act of 2010**, made changes to employer reporting requirements. Under this new provision, employers were now required to report, among other elements, the date that an employee first performs services for pay.
- PL 112-40, the **Trade Adjustment Assistance Extension Act of 2011**, amended 42 U.S.C. 653a(a)(2) to provide a definition of the term “newly-hired employee,” a term which was not previously defined in the federal laws concerning employer reporting.
- 2010** Public Law (PL) 111-148, the **Patient Protection and Affordable Care Act**, enacted health insurance coverage requirements for parents without making corresponding amendments in the medical support requirements under Title IV-D of the Social Security Act.
- 2009** PL 111-5, the **American Recovery and Reinvestment Act of 2009 (ARRA)**, temporarily restored states’ ability to claim federal matching funds for federal performance incentives earned. States could request matching funds from October 1, 2008 to September 30, 2010.
- 2006** PL 109-171, the **Deficit Reduction Act of 2005 (DRA)**, made major funding and program changes to the child support and TANF programs. Significant provisions of the DRA included the elimination of pre-assistance assignment no longer requiring families to assign all of their past-due support rights to the state when they receive TANF, requirements that all child support orders include a provision that either or both parents must provide medical support, and that states may enforce medical support obligations against the custodial parent. Additionally, states were also required to provide services to collect co-pays, deductibles, and un-reimbursed medical expenses collected on behalf of a child. IV-D agencies were also required to impose an annual fee of \$25 fee on cases where the custodial parent has never received TANF and at least \$500 has been collected. States were also allowed to choose to pass-through support to families on public assistance, eliminate pre-1997 and post-1997 assignments, and eliminate the distribution exception to intercepted IRS collections, in order for more money to go directly to families. The DRA also eliminated states’ ability to claim federal matching funds for performance incentives earned.

In addition, the DRA also created a new federal grants program available for fatherhood and marriage initiatives.

## Appendix 7

### Child Support Federal Legislative History

**2005** PL 109-8, the **Abuse Prevention and Consumer Protection Act of 2005** (effective October 17, 2005), contained several provisions which allowed child support to continue to be enforced even if a debtor had filed bankruptcy. Child support claims were given priority. Proceedings related to child support for income withholding, license suspension, credit bureau reporting, tax refund intercepts, and enforcement of medical obligations were made exempt from automatic stay provisions. Bankruptcy trustees were required to notify the claim holder and the child support agency of the debtor's last known address.

**1999** PL 106-113, the **Consolidated Appropriations Act 2000**, contained several provisions affecting child support. Section 454A of the Social Security Act was amended requiring State child support automated data processing and information retrieval systems to disclose to Private Industry Councils (PICs) certain information on noncustodial parents for the purpose of contacting them regarding their participation in the welfare-to-work program. The Act also provided that if a State plan would be disapproved for failure to establish a disbursement unit for child support payments, but the State had submitted, by April 1, 2000, a corrective compliance plan acceptable to the Secretary, then the Secretary would not disapprove the State plan for spousal and child support, but the amount otherwise payable to the State would be reduced as a penalty.

The Act also required the Secretary of State, in consultation with the Secretary of Health and Human Resources, to submit a report to Congress on the feasibility of lowering the threshold amount of an individual's support arrearage from \$5,000 to \$2,500 before the Secretary of State would refuse to issue a passport to such an individual.

PL 106-169, the **Foster Care Independence Act of 1999**, narrowed the hold harmless provision for State share distribution of collected child support.

**1998** PL 105-200, the **Child Support Performance and Incentive Act of 1998** (CSPIA), generally provided for an alternative penalty procedure for States that failed to meet Federal child support data processing requirements, and it reformed Federal incentive payments for effective child support performance. The law also required the creation of a Medical Support Working Group to identify any impediments to effective enforcement of medical support and to recommend appropriate remedies. [The Medical Support Working Group's report was issued in August of 2000.].

PL 105-306 included technical amendments to CSPIA that reduced by 20% the penalty for State failure to meet the deadline for compliance with child support data processing and information retrieval requirements. This law also amended the effective date for State enactment of certain medical support requirements.

PL 105-200, the **Child Support Performance and Incentive Act of 1998**, provided penalties for failure to meet data processing requirements, reformed incentive payments, and provided penalties for violating inter-jurisdictional adoption requirements. Incentive payments were based on paternity establishment, order establishment, current support collected, cases paying past due support, and cost

## Appendix 7

### Child Support Federal Legislative History

effectiveness and on a percentage of collections. Incentive payments had to be reinvested in the state's child support program.

PL 105-187, the **Deadbeat Parents Punishment Act of 1998**, established felony violations for the willful failure to pay legal child support obligations in interstate cases.

**1997**

PL 105-33, the **Balanced Budget Act of 1997**, made a number of amendments to the Social Security Act, including creating the Children's Health Insurance Program in Title XXI to help provide medical coverage to children of working poor families, who were not eligible for private health insurance and who were earning too much to receive Medicaid. The Balanced Budget Act also amended section 454 of the Social Security Act regarding cooperation/good cause, and the FPLS language in section 453 to clarify the authority permitting certain re-disclosures of wage and claim information. Also, this Act authorized for the first time the direct funding of Tribal support programs, with Congress giving the Office of Child Support Enforcement (OCSE) greater flexibility in providing direct funding for such programs and requiring OCSE to make known regulations before issuing grants directly to Tribes.

PL 105-34, the **Taxpayer Relief Act of 1997**, amended the Social Security Act by requiring, beginning October 1, 1999, the Federal Case Registry of Child Support Orders to include the names and Social Security Numbers of children on whose behalf child support is owed, and that such information also be included in State case registries. Furthermore, the Secretary of the Treasury would have access to the Federal Case Registry of Child Support Orders for the purpose of administering the tax provisions that grant tax benefits based on support or residence of a child.

PL 105-89, the **Adoption and Safe Families Act of 1997**, made the Federal Parent Locator Service available to child welfare services for enforcement of custody and support orders.

**1996**

Title III of the **Personal Responsibility and Work Opportunity Reconciliation Act** (PRWORA) of 1996 (PL 104-193) abolished Aid to Families with Dependent Children (AFDC) and established Temporary Assistance for Needy Families (TANF). Each state was required to operate a **Title IV-D child support program** to be eligible for TANF funds. States had to comply with numerous changes in child support services. Many of those changes included enhanced child support enforcement tools, such as license suspension for non-payment of support; the financial institution data match; requiring states to adopt the Uniform Interstate Family Support Act (UIFSA) of 1996; and the adoption of federal withholding forms.

**1995**

PL 104-35 extended the deadline two years for states to have an automated data processing and information retrieval system. The 90 percent match was not extended.

**1994**

PL 103-432, the **Social Security Act Amendments of 1994**, required states to periodically report debtor parents to consumer reporting agencies.

PL 103-403, the **Small Business Administration Amendments of 1994**, rendered delinquent child support payers ineligible for small business loans.

## Appendix 7

### Child Support Federal Legislative History

PL 103-394, the **Bankruptcy Reform Act of 1994**, did not stay a paternity, child support or alimony proceeding. Child support and alimony were made priority claims.

PL 103-383, the **Full Faith and Credit for Child Support Orders Act**, required states to enforce other states administrative and court orders.

**1993** PL 103-66, the **Omnibus Budget Reconciliation Act of 1993**, required states to establish paternity on 75 percent of the children in their caseload instead of 50 percent. States had to adopt civil procedures for voluntary acknowledgement of paternity. The law also required states to adopt laws to ensure the medical compliance in orders.

**1992** PL 102-537, the **Ted Weiss Child Support Enforcement Act of 1992**, amended the Fair Credit Reporting Act to include child support delinquencies in credit reporting.

PL 102-521, the **Child Support Recovery Act of 1992**, imposed a federal criminal penalty for the willful failure to pay child support in interstate cases.

**1990** PL 101-508, the **Omnibus Budget Reconciliation Act of 1990**, permanently extended the federal provision for IRS tax refund offsets for child and spousal support.

**1989** PL 101-239, the **Omnibus Budget Reconciliation Act of 1989**, made permanent the requirement that Medicaid continue for four months after termination from AFDC.

**1988** PL 100-485, the **Family Support Act of 1988**, emphasized the duties of parents to work and support their children, underscoring the importance of child support as the first line of defense against welfare dependence. States were required to: 1) develop mandatory support guidelines; 2) meet paternity standards; 3) respond to requests for services within specified time periods; 5) develop an automated tracking system; 6) provide immediate wage withholding; 8) have parents furnish Social Security number when a birth certificate is issued; and 9) notify AFDC recipients of monthly collections.

**1987** PL 100-203, the **Omnibus Budget Reconciliation Act of 1987**, required states to provide services to families with an absent parent who receives Medicaid and have them assign their support rights to the state.

**1986** PL 99-509, the **Omnibus Budget Reconciliation Act of 1986**, included an amendment that prohibited retroactive modification of child support awards.

**1984** PL 98-378, the **Child Support Amendments of 1984**, expanded federal oversight to increase uniformity among states. States were required to enact statutes to improve enforcement. Federal Financial Participation (FFP) rates were adjusted to encourage reliance on performance-based incentives. Audit provisions were altered to evaluate a state's effectiveness. States were required to improve their interstate enforcement. States were mandated to provide equal services for AFDC and non-AFDC families alike.

PL 98-369, the **Tax Reform Act of 1984**, included two tax provisions for alimony and child support.

**1982** PL 97-253, the **Omnibus Budget Reconciliation Act of 1982**, allowed access to information obtained under the Food Stamp Act of 1977.

## Appendix 7

### Child Support Federal Legislative History

PL 97-252, the **Uniformed Services Former Spouses' Protection Act**, authorized military retirement or retainer pay to be treated as property.

PL 97-248, the **Tax Equity and Fiscal Responsibility Act of 1982**, included several provisions affecting IV-D, including reducing the FFP and incentives. In addition, Congress repealed the mandatory non-AFDC collection fee retroactive to 1981, making it an option. States were allowed to collect spousal support for non-AFDC cases. Military personnel were required to make allotments from their pay, if delinquent in their child support.

- 1981** PL 97-35, the **Omnibus Reconciliation Act of 1981**, amended IV-D in five ways: 1) IRS was authorized to withhold tax refunds for delinquent child support; 2) IV-D agencies were required to collect spousal support for AFDC families; 3) IV-D agencies were required to collect fees from parents delinquent in child support; 4) obligations assigned to the state were no longer dischargeable in bankruptcy proceedings; and 5) states were required to withhold a portion of unemployment for delinquent support.
- 1980** PL 96-272, the **Adoption Assistance and Child Welfare Act of 1980**, amended the Social Security Act as follows: 1) FFP for non-AFDC was made permanent; 2) states could receive incentives on interstate AFDC collections; and 3) states had to claim expenditures within two years.
- PL 96-265, the **Social Security Disability Amendments of 1980**, increased federal matching funds to 90 percent for automated systems. Matching funds were made available for court staff. IRS was authorized to collect arrearages for non-AFDC families. IV-D agencies were allowed access to wage data.
- 1978** PL 95-598, the **Bankruptcy Reform Act of 1978**, repealed section 456(b) of the Social Security Act (42 USC §656(b)), which had barred the discharge in bankruptcy of assigned child support arrears. (PL 97-35 in 1981 restored this section.)
- 1977** PL 95-142, the **Medicare-Medicaid Antifraud and Abuse Amendments of 1977**, enabled states to require Medicaid applicants to assign the state their rights to medical support. Incentives were made for states securing collections on behalf of other states.
- PL 95-30 amended section 454 of the Social Security Act, including garnishment of federal employees, bonding employees who handled cash and changing incentive rates.
- 1976** PL 94-566 required state employment agencies to provide addresses of obligated parents to state child support agencies.
- 1974** PL 93-647, the **Social Security Amendments of 1974**, created **Title IV-D of the Social Security Act, the child support program**. The program was designed for cost recovery of state and federal outlays on public assistance and for cost avoidance to help families leave welfare and to help families avoid turning to public assistance.
- 1967** PL 90-248, the **Social Security Amendments of 1967**, allowed states access to IRS for addresses of obligated parents. Each state was required to establish a single child support unit for AFDC children. States were required to work cooperatively.

## Appendix 7

### Child Support Federal Legislative History

- 1965** PL 89-97, the **Social Security Amendments of 1965**, allowed welfare agencies to obtain addresses and employers of obligated parents from the U.S. Department of Health, Education and Welfare.
- 1950** PL 81-734, the **Social Security Act Amendments of 1950**, added section 402(a)(11) to the Social Security Act (42 USC 602(a)(11)). The law required state welfare agencies to notify law enforcement officials when providing AFDC to a child. The Uniform Reciprocal Enforcement of Support Act (URESA) was approved.

## Appendix 8 Major Changes in ESA Programs by Month

### Major Changes in ESA Programs by Month, July 1995 – June 2014

#### June 2014

1. **WorkFirst Orientation** – Effective June 1, 2014, completion of a new WorkFirst (WF) Orientation is required as a condition of eligibility for all Temporary Assistance for Needy Families (TANF) and State Funded Assistance (SFA) applicants. The new orientation was implemented to ensure clients receive consistent information statewide about the WF program, including the services and supports available and activities that may be required for participation in the TANF/SFA program.

#### May 2014

1. **AREN Twelve-Month Limit** – Effective May 1, 2014, the Department reinstated the 12-month limit for the Additional Requirements for Emergent Needs (AREN) program and eliminated the \$750.00 lifetime limit.
2. **Reporting Indigence Exemptions** – A new streamlined process for reporting indigence exemptions to sponsor deeming for legal immigrants was introduced, and with the exception of SSI related medical (S02) the department no longer reports indigence exemption for medical programs.

#### April 2014

1. **Categorical Eligibility Income Limit** – Effective April 1, 2014, the 200% of federal poverty level (FPL) standards used for categorical eligible households increased.

#### March 2014

1. **Reinstatement of Basic Food Standard Utility Allowances** – Effective March 10, 2014, the Department began using actual utility expenses to calculate the shelter expenses and final benefit for all new applicants.

#### February 2014

1. **WorkFirst Housing Pathway Pilot-Phase 2** – Starting February 15, 2014, the WorkFirst Housing Pathway Pilot was expanded to Pacific, Wahkiakum, and Jefferson counties. In partnership with the Department of Commerce this pilot focused on serving WorkFirst families who were currently homeless by obtaining housing, with the goal of moving families to self-sufficiency within six months.

#### January 2014

1. **Changes to the Aged, Blind, or Disabled (ABD), Housing and Essential Needs (HEN), and Medical Care Services (MCS) Programs** – Substitute House Bill 2069 temporarily established less restrictive disability criteria for the ABD cash assistance program, created a new HEN referral program, and modified the eligibility for the state-funded MCS medical assistance program.



## Appendix 8

### Major Changes in ESA Programs by Month

- a) ABD-Disability criteria reduced the minimum disability duration requirement from twelve to nine months, and reduced consideration of an individual's ability to perform past work from fifteen to ten years.
  - b) HEN Referral-New referral program replaced MCS as the gateway to potential HEN eligibility.
  - c) MCS-Maintained the state-funded MCS medical assistance program for ABD and HEN referral recipients who are ineligible for Medicaid due to their immigration status.
2. **Affordable Care Act (ACA) Implementation** – Effective January 1, 2014, eligible ABD and HEN Referral recipients were transitioned from medical programs administered by the Department to Washington Apple Health (WAH) Medicaid administered through the Health Benefit Exchange (HBE).
  3. **CEAP Suspension** – State funding for Consolidated Emergency Assistance Program (CEAP) was exhausted. The program was suspended effective January 1, 2014 through June 30, 2014.
  4. **Minimum Wage Increase** – Effective January 1, the Washington minimum wage increased to \$9.32 per hour.
    - a) Paid Employment – the minimum wage increase affects all wages and cash benefits paid to Community Jobs (CJ) and Job Connection (JC) programs. A client's January income must be prospectively budget against January benefits.
    - b) Fair Labor Standards Act (FLSA) – the minimum wage increase may result in a decrease in hours of mandatory participation.

#### December 2013

1. **Child Care** – Effective December 1, 2013, parents who receive Working Connections Child Care benefits and participate in 110 hours or more of an approved work or work-related activities became eligible for full-time child care services in accordance with the passage of Senate Bill 5595.
2. **State Supplemental Payment (SSP) Decrease** – Starting December 1, 2013, the Department reduced the SSP for SSI recipients who are aged, blind, or have an ineligible spouse from \$46 to \$40 to stay within available funds.

#### November 2013

1. **WorkFirst Housing Pathway Pilot-Phase 1** – Starting November 1, 2013, the WorkFirst Housing Pathway Pilot rolled out in the five current "Ending Family Homelessness" counties: Whatcom, Snohomish, Cowlitz, Mason, and Spokane. In partnership with the Department of Commerce this pilot focused on serving WorkFirst families who are currently homeless by obtaining housing, with the goal of moving families to self-sufficiency within six months.
2. **Reductions to Basic Food, Washington Combine Application Project (WASHCAP), and Food Assistance Program (FAP) Benefit** – Effective November 1, 2013, American Recovery and Reinvestment Act (ARRA) supplements ended resulting in a decrease in Supplemental Nutrition

## Appendix 8

### Major Changes in ESA Programs by Month

Assistance Program (SNAP) Benefit levels. FAP benefit levels based on Basic Food levels (75% of SNAP) also decreased.

#### October 2013

1. **WorkFirst Support Services Instant Issuance Fuel Card** – Starting October 1, 2013, Bank of America (BOA) fuel cards can provide gasoline assistance for participants in the WorkFirst program. Fuel cards can be authorized for up to \$50, and will only work at gas pumps.
2. **Restoration of Community Works** – Effective October 18, 2013, the Department introduced the Community Works (WC) program as a new unpaid work experience program that is structured to provide WorkFirst participants structured unpaid work experience.
3. **Affordable Care Act (ACA) Implementation** – Starting in October 2013, the Department began transitioning eligible Family, Children, and Pregnancy Medicaid recipients from medical programs administered by the Department to Washington Apple Health (WAH) Medicaid administered through the Health Benefit Exchange. The transition process continued through September 2014.

#### September 2013

1. **Electronic Benefits Transfer (EBT) Second Program Violation** – As required by Engrossed Substitute Senate Bill ESSB 5921, the Department now requires a protective payee to a client after two program violations for using public assistance benefits at a prohibited location.

#### August 2013

1. **Basic Food Elderly Interview Waiver** – Starting August 2013, elderly households (age 60+) without earnings are no longer required to have an interview for Basic Food Benefits if all necessary verification is provided or available through system interfaces, and no information is questionable.

#### July 2013

1. **CEAP Reinstatement** – Funding is now available for CEAP. Any applications for CEAP received on or after July 1, 2013 may be approved.
2. **Increased Benefit Level for State Food Assistance Program (FAP)** – Effective July 1, 2013, the state budget changed the benefit calculation from 50% of the Supplemental Nutrition Assistance Program (SNAP) to 75% for the state-funded food benefits to legal immigrants.

#### May 2013

1. **Voluntary Community Service (VS)** – Instructional memo and flyer were issued that encouraged the use of Voluntary Community Services as a core activity, including parents with young

## Appendix 8

### Major Changes in ESA Programs by Month

children who are re-engaging in WorkFirst after the temporary suspension allowed under ESSB 5921 ended.

#### April 2013

1. **LEP Pathway expansions/pilot projects (skills training & intensive ESL)** – the Office of Refugee and Immigrant Assistance (ORIA) implemented these expansions/pilots to focus on two of the most important skills newcomers need in order to integrate into their new communities: 1) teach job skills in specific industries, and 2) provide intensive ESL instruction to give newly arrived refugees and immigrants additional time to increase their English proficiency.

#### February 2013

1. The Department removed individual dollar limits for each WorkFirst support service type while retaining the annual \$3,000 limit.

#### January 2013

1. **Minimum Wage Increase** – Effective January 1, 2013, the Washington minimum wage increased to \$9.19 per hour.
  - a. Paid Employment – the minimum wage increase affects all wages and cash benefits paid to Community Jobs (CJ) and Job Connection (JC) programs. A client's January income must be prospectively budget against January benefits.
  - b. Fair Labor Standards Act (FLSA) – the minimum wage increase may result in a decrease in hours of mandatory participation.
2. **CEAP Suspension** – State funding for Consolidated Emergency Assistance Program (CEAP) was exhausted. The program was suspended effective January 1, 2013 through June 30, 2013.

#### August 2012

1. **EBT Fees** – Starting August 1, 2012, public assistance recipients are no longer charged an 85¢ fee by JP Morgan Chase when they use their EBT card to make an ATM cash withdrawal.
2. **Pre-Paid Merchant Cards** – Starting August 1, 2012, the use of an automated system (Card Minder) was implemented to track pre-paid merchant cards to assist in issuing Support Services. The pre-paid merchant cards do not eliminate the use of vouchers. Vouchers will continue to be used for support services exceeding \$50.00, or when pre-paid merchant cards are not an option.
3. The temporary automated system used to track pre-paid merchant cards is called "CardMinder." This system:
  - a. Allows the Department to track the cards from the time they arrive in ESA Fiscal to when they are issued to a client.
  - b. Uses a magnetic card reader similar to EBT.

## Appendix 8

### Major Changes in ESA Programs by Month

- c. Has limited functionality because it is not able to track negotiables that don't have magnetic coding such as bus passes or tickets. The current purchase, issuance and tracking of transportation negotiables will remain unchanged.
- d. Is unable to attribute issuances to a specific client or subcategory in eJAS.

#### July 2012

1. In accordance with the 2012 Supplemental Budget (3ESHB 2127), the following changes took effect:
  - a. TANF Payment Standard – the maximum TANF cash grant was increased from \$726 to \$941 for families of 6 or more.
  - b. Food Assistance Program (FAP) for Legal Immigrants – funding now provided at 50% of the benefit level for the federal Supplemental Nutrition Assistance Program (SNAP).
  - c. Child Care Subsidy Program –
    - i. eligibility increased from 175% to 200% FPL; and
    - ii. certifications increased from 6-month to 12-month periods.
  - d. WorkFirst Services – funding reduced by about \$821,000 (1.1%).
  - e. Division of Child Support – funding provided for 16 additional FTEs in SFY 2013 (effective July 1, 2012) to increase the amount of child support collected and retained by the state.
  - f. Department of Early Learning – funding of \$100,000 provided for a contract with an independent consultant to evaluate and recommend an optimum system for the child care eligibility determination process, with a report due to the Office of Financial Management and Legislature by December 31, 2012.
2. **WorkFirst Participation** – As required by *ESSB 5921*, the Department began re-engaging TANF parents with young children who chose a temporary suspension of WorkFirst participation requirements. *ESSB 5921* required DSHS to begin phasing in parents required to participate in WorkFirst back into work activity over the course of SFY 2013, starting with parents closest to reaching the 60-month TANF time limit.
3. **CEAP Reinstatement** – Funding was available for CEAP. Any applications for CEAP received on or after July 1, 2012 may be approved.
4. **EBT** – the Department negotiated changes to the EBT fee structure with JP Morgan Chase:
  - a. Cost per case fee – JP Morgan Chase reduced the monthly fee charged to the state for each case that receives an EBT benefit deposit during a given month. This is called the 'Cost per Case Month' fee. The fee varies, depending on the type(s) of benefits that are deposited in a person's EBT card account (food only, cash only, or combined food and cash benefits). The chart below compares the old and new monthly cost per case fees.

	Monthly Case Fee		
	Prior to July 1, 2012	Effective July 1, 2012	Difference
Food-only Cases	\$1.24	85¢	Savings of 39¢ per case
Cash-only Cases	67¢	53¢	Savings of 14¢ per

## Appendix 8 Major Changes in ESA Programs by Month

			case
Combined Food and Cash Cases	\$1.65	\$1.26	Savings of 39¢ per case

- b. Liquidated damage fee – Washington's EBT contract included a 'Liquidated Damage' fee for an option that allowed the Department to assess charges against the EBT vendor for extended and unplanned EBT service outages that resulted in clients being unable to access their benefits. Because it was not cost-effective, the Department and JP Morgan Chase agreed to drop this option effective July 1, 2012.

### June 2012

1. **Child Care Subsidy Program** – as required by SSB 6386 and HB 2828, the requirement that an applicant or recipient of child care subsidies seek child support services through the Division of Child Support was eliminated.
2. **Early SSI Transition Pilot** – as required by SB 6223, the pilot was repealed. The pilot was started in August 2010 (as part of the Disability Lifeline program) and ended in December 2011.
3. **Food Assistance Program (FAP) for Legal Immigrants** - On June 10, 2012, the U.S. District Court formally dismissed the claims in Case No C11-119 MJP based on an earlier ruling by the Ninth Circuit Court of Appeals. This action by the US District Court fully resolved the FAP lawsuit (see February 2011). Because the state budget changed, the Department no longer needed to eliminate FAP. The Department moved forward with implementing a change in FAP benefit levels. The SFY 12 Supplemental Budget approved by the Legislature funded FAP at only 50% of the benefit level for the federal Supplemental Nutrition Assistance Program (SNAP), to be effective July 1, 2012.

### February 2012

1. **AREN Lifetime Limit** – The Department implemented a \$750 lifetime limit for the Additional Requirements - Emergent Needs (AREN) program. All AREN payments issued to any adult recipient since April 2001 would be counted against the lifetime limit. Exceptions were granted only when the household's health and safety would be in imminent danger. All AREN payments were to be issued directly to a vendor.

### January 2012

1. **CEAP Suspension** – The Department suspended the consolidated Emergency Assistance Program (CEAP) through June 30, 2012 due to exhaustion of state program funds. Staff manually denied all CEAP applications that were not processed or in pending status prior to January 1, 2012.

### December 2011

1. A pilot to eliminate issuance of EBT replacement cards in the local office began in the Access Spokane offices for a six-month period. The majority of EBT replacement cards were to be

## Appendix 8

### Major Changes in ESA Programs by Month

issued by the vendor via mail, with limited and clearly defined emergency exception criteria for local office issuance. If the pilot was successful, the EBT replacement card mailing protocol would be expanded statewide in July 2012.

2. The Department implemented a **permanent TANF/SFA disqualification** for clients who had three or more WorkFirst non-compliance sanction (NCS) terminations since March 1, 2007 when the NCS termination policy was implemented.

#### November 2011

1. In accordance with *Engrossed Substitute Senate Bill (ESSB) 5921*, the Department changed the rules for determining eligibility for a non-parental “child-only” TANF/SFA cash grant. The Department began means testing non-parental child-only grants by counting the income for all household members in addition to the recipient child’s income to determine eligibility.
  - a. Means testing applied to kinship or legal guardian child-only cases.
  - b. Households with income:
    - i. At or below 200% of FPL would receive a grant based on the payment standard for TANF/SFA families.
    - ii. Between 200% and 300% of FPL would receive a grant based on reduced payment standards:

FPL	Payment Standard
201% thru 225% of FPL	80% of payment standard
226% thru 250% of FPL	60% of payment standard
251% thru 275% of FPL	40% of payment standard
276% thru 300% of FPL	20% of payment standard

- iii. Over 300% FPL would no longer be eligible for a child-only cash grant.
  - c. Required a Social Security number (SSN) for anyone in the household when needed to verify income.
  - d. Children who had been placed by a state or tribal child welfare agency and had an **open** child welfare case would **not** be subject to means testing.
  - e. The means testing assistance unit (household) would include the person applying on the child’s behalf, any dependents of the caregiver, and other persons who were financially responsible for the caregiver or the TANF child - (for example: the caregiver/relative, caregiver’s spouse, caregiver’s children, and TANF/SFA recipient child(ren)).
  - f. There would be no resource test for non-parental child-only caretaker relative households.
  - g. Budgeting of the recipient child(ren)’s income and resources against the payment standard would remain the same, but would occur only after the household means test had been applied.
  - h. Means testing did not change medical, food and child care eligibility.
2. In accordance with *Engrossed Substitute Senate Bill (ESSB) 5921*, the Department implemented a **60-month time limit** on TANF child-only cases in which the parent is in the home and is ineligible for TANF, with the same limited hardship extensions that apply to regular TANF cases.

3. In accordance with *Engrossed Substitute House Bill 2082*, the **Disability Lifeline (DL) program**

## Appendix 8

### Major Changes in ESA Programs by Month

ended effective November 1, 2011, pursuant RCW 74.60.020. Three new programs were created under RCW 74.60.030 to serve the former DL population:

- a. The Aged, Blind, or Disabled (ABD) program would provide cash assistance to persons who were age 65 or older, blind or likely to meet the disability standard for the federal SSI program. The maximum monthly grant would be \$197 for one person.
- b. The Pregnant Women Assistance (PWA) program would provide cash assistance to women who are pregnant and not eligible for Washington's Temporary Assistance for Needy Families (TANF) program. The maximum monthly grant would be \$197 for one person.
- c. The Housing and Essential Needs (HEN) program, administered through the Department of Commerce, would provide essential needs items (e.g., bus passes, personal hygiene items, toiletries) and housing supports (e.g. rent and utility assistance) to certain individuals who were unable to work for at least 90 days due to a physical or mental incapacity.

#### October 2011

1. In accordance with *Engrossed Substitute House Bill 2082*, the **Disability Lifeline (DL) program** was eliminated effective October 31, 2011.

#### September 2011

1. The Economic Services Administration (ESA) issued supplemental payments, ranging from \$27 to \$69 per month, to about 34,000 Disability Lifeline clients after discovering that the emergency rule had expired that allowed the DL grant reduction in April 2011. The emergency rule expired on July 12, 2011 and because the permanent rule had not been filed to continue the lower grant standard (\$197) beyond July 12, the Department was obligated to restore the DL grant standard to the higher amount (\$266) in effect prior to April 1.

#### July 2011

1. The Washington State Legislature made seeking **child support enforcement services** from the Division of Child Support (DCS) a condition of eligibility for child care subsidies, effective July 1, 2011, unless the applicant met one of the good cause reasons set forth in the Department of Early Learning rules. It was expected that child support would increase household income to the point that either co-pays were increased or families were no longer eligible for subsidized care; using the savings realized to provide child care subsidies for more families
2. The Washington State Legislature adopted changes to the **Uniform Parentage Act** (Chapter 26.26.RCW), changing the focus of the act to the determination of parentage, as opposed to the former emphasis on paternity. Although the changes in the law did not have a major impact on the administrative procedures of the Division of Child Support (DCS), the law made many changes that impacted judicial proceedings concerning parentage, which affected the prosecuting attorneys who represent DCS. Certain persons are now considered to have the legal status of parents regardless of gender or biological connection, based on their legal relationship at the time the child was born. A new presumption of parentage was established where an individual resides with a child for the first two years of the child's life and openly holds out the child as his or her child. A minor parent who signed an acknowledgment or denial of paternity

## Appendix 8

### Major Changes in ESA Programs by Month

now had until the minor parent's 19th birthday to file an action in court to rescind the acknowledgment. The former two-year statute of limitations was increased to four years: a person may challenge an acknowledgment or bring a proceeding in court to adjudicate the parentage of a child having a presumed parent within four years of the child's birth; if the child was more than two years old when the action commenced, the child must now be made a party to the action.

3. **The Food and Nutrition Service (FNS)** amended overpayment rules to remove the alien sponsor liability for food assistance overpayments incurred by aliens they sponsored. This change was the result of regulations filed on December 15, 2010.
4. **Temporary Suspension of WorkFirst Participation** - parents could choose to suspend participation for a WorkFirst parent, or caretaker, with a child under age two, or two or more children under age six. During the suspension period, parents would be encouraged to participate in WorkFirst activities, be placed in participation suspension upon request, and not be eligible for support services such as transportation and childcare unless volunteering to participate in WorkFirst activities. Notices regarding this change will be mailed by July 6, 2011 to WorkFirst participants that met the criteria.
5. **Expanded WorkFirst Work Activities** - State law changed to expand allowable activities to include the following:
  - a. WorkFirst "work activities" would include parent education services or programs that support development of parenting skills, life skills, and employment-related competencies; and
  - b. Community Service activities were expanded to include volunteering at their child's licensed childcare, preschool, or elementary school.
6. **Department of Commerce** began two new programs –
  - a. Job Connection Program -- This program provided participants with opportunities to build references, develop networking connections, and demonstrate their work skills directly through employment by performing jobs within their chosen field.
  - b. Career Development Program -- This program provided a volunteer unpaid work activity to participants to support their engagement in an education pathway.
7. **Career Scope Pilots** - Career Scope was ESD's new approach to employment service delivery that focused on individualized services. Pilots began in July 2011 in Mount Vernon, Bellingham, North Seattle, Port Angeles, Bremerton, and Spokane.
8. **Diversion Cash Assistance (DCA) Changes** - Diversion Cash Assistance (DCA) maximum payment amount increased from \$1,000 to \$1,250 in a twelve month period.
9. **Consolidated Emergency Assistance Program (CEAP) Changes** - CEAP funding was made available for the next biennium. Staff could approve all applications received on or after July 1 if the household met the program eligibility.



## Appendix 8

### Major Changes in ESA Programs by Month

10. **Child Care Changes** - The Working Connections Child Care (WCCC) policies were changed to reflect the following:
  - a. Applicants were required to seek support enforcement services as a condition of WCCC eligibility unless they had good cause.
  - b. Customer Service Center began processing seasonal childcare applications.
  - c. Non-Standard Hours Bonus (NSHB) funding was reinstated due to the approval of state program funds for the new biennium.

#### May 2011

1. **The grant maximum for cash assistance** was reduced from \$941 to \$726 per month. The change reduced TANF, State Family Assistance, and Refugee Cash Assistance grants for most families with more than five household members. The change was necessary due to a budget shortfall and increased demand for services by families affected by the economic recession.
2. **Child support pass-through payments** to custodial parents receiving TANF were suspended May 1, 2011, as required under SSB 6893 that was passed by the Washington State Legislature in a special session held in December 2010.

#### April 2011

1. **The full Pregnancy-to-Employment assessment** for the other parent in a two-parent household was eliminated. A partial assessment was required after the child is born.
2. **State Food Assistance Program (FAP) benefits** were reduced to 50% of the federal SNAP benefit amount. This reduction was not applied to benefit issuances due to Pimentel v. Dreyfus Temporary Restraining Order/Preliminary Injunction.
3. **Disability Lifeline grants** were reduced by 25%, from \$266 to \$197 for one person.

#### March 2011

1. In an effort to achieve cost savings and align participation requirements with the federal TANF standard, **participation requirements for single parents** with a child under age six were reduced from 32 to 20 hours per week. The 20 hours per week participation requirement had to be in a core activity. Parents were allowed to voluntarily participate full-time. Full-time activities included Community Jobs and Vocational Education.
2. **Working Connections Child Care (WCCC) changes:**
  - a. **Waiting List** – With the exceptions noted below, families applying for WCCC with income at or below 175% of the Federal Poverty Level (FPL) would be placed on a waiting list. Program openings would be filled on a first-come, first-served basis. Families would be notified when there are openings in the program and would have ten days to begin the application process.

The following groups would receive **priority access** to WCCC and would not be included in the waiting list:

## Appendix 8

### Major Changes in ESA Programs by Month

- i. All TANF families;
  - ii. Families with pending TANF due to curing a WorkFirst sanction; and
  - iii. Families with verifiable special needs child.
- b. **Copayment Increase** – Copays for families with income above 82% of the FPL increased as follows:

Income level:	Copayment:	Change:
At or below 82% of FPL	\$15	No change
Above 82% up to 137.5% FPL	\$65	\$10 increase
Above 137.5% through 175% FPL	The dollar amount equal to subtracting 147.5% of the FPL from countable income, multiplying by 50%, then adding \$65	\$10 increase plus an increase in multiplying from 44% to 50%

3. In response to a budget shortfall, the Department implemented **emergency rules to count federal Supplemental Security Income (SSI)** when determining TANF eligibility and benefit levels. The emergency rules were challenged in federal court. The plaintiffs’ motion for a temporary restraining order was orally granted on February 28, 2011, and an order entered shortly thereafter. During the month of March 2011, the Department reinstated benefits for approximately 8,250 families affected by this change. Subsequent legislation in 2011 (ESSB 5921 Section 5) prohibited DSHS from including SSI income when determining TANF eligibility and benefit levels.

#### February 2011

1. In December 2010, DSHS adopted a rule-making order to **eliminate the Food Assistance Program** for legal immigrants (FAP) on February 1, 2011. FAP provided state-funded food assistance to approximately 13,700 individuals who resided in Washington legally, but did not meet the requirements for the federal Supplemental Nutrition Assistance Program (Washington's Basic Food program) because of their immigration status. Roughly 68% of these individuals lived in "mixed" households, where some family members were eligible for and receiving federal food benefits. On January 20, 2011, legal services filed a lawsuit in federal court to stop DSHS from ending FAP. On January 27, 2011, the court granted legal services’ motion for a temporary restraining order and required DSHS to continue providing FAP benefits. This was later followed by a preliminary injunction that barred DSHS from terminating or reducing FAP benefits. The State Legislature passed Supplemental Budget ESHB 1086, which reduced FAP benefits to 50% of the benefit levels for the SNAP program. Benefit rule changes under this legislation were to be implemented April 1, 2011; however, the preliminary injunction also prevented implementation of this reduction. Currently, the preliminary injunction is on appeal before the Ninth Circuit Court of Appeals.
2. **TANF time limit hardship extension** changes took effect. Revised hardship extensions were granted for parents or needy relative caregivers:
  - a. Approved for WorkFirst exemption due to age, disability or because of a need to stay home

## Appendix 8

### Major Changes in ESA Programs by Month

- to care for a disabled family member or required to apply for SSI; or
  - b. Participating in a family violence service plan developed by someone trained in family violence; or
  - c. With an open child welfare case with a state or tribal government and it is the first time any child in the home has been involved in dependency considerations or action; or
  - d. Employed 32 hours or more per week; or
  - e. Recipient needy relative caregivers over age 55.
3. In response to budget reductions, **TANF 15% grant reduction** took effect. This change also reduced payment standards for Refugee Cash Assistance, State Family Assistance, Consolidated Emergency Assistance Program, and the Maximum Earned Income and Grant Maximum payment standards.
4. **Temporary Suspension of Working Connections Child Care Field Trip Fee Reimbursement** - In response to budget reductions, licensed or certified child care centers would no longer be able to bill for field trip fees. The change did not affect licensed or certified family home child care providers.

#### January 2011

1. **Disability Lifeline** - Effective January 1, 2011, ESA implemented a reduction of 21.4% to the average grant for Disability Lifeline clients (formerly General Assistance). About 41,000 clients, who were eligible for the program due to physical or psychological incapacities, were affected by the reduction. The reductions were needed to meet the Governor's mandate for 6.3% across the board spending cuts and to offset anticipated savings lost due to the *Elkins vs. Dreyfus* Temporary Restraining Order (TRO) (see page A8-5).
2. Disability Lifeline – the **Vocational Rehabilitation Assessment Tool** was implemented. When a determination was made that a person would be likely to benefit from vocational rehabilitation services, the individual was required to participate with DVR in order to remain eligible for the monthly stipend and housing voucher or cash grant. If the person refused to participate, the Department was required to terminate the cash stipend and housing voucher or cash grant, but could not terminate medical coverage.
3. **Diversion Cash Assistance (DCA) Reduction** - Effective January 1, 2011, the DCA maximum payment amount decreased from \$1,250 to \$1,000 in a 12-month period. This reduction was approved by the Legislature during the 2010 Special Session. The reduction was temporary and expected to end June 30, 2011 as it was not proposed to be carried over into the next biennium.
4. **Working Connections Child Care** - Changing the income limit for Working Connections Childcare (WCCC) to 175% of the Federal Poverty Level (FPL) began in October 2010 and was anticipated to be phased in over six months. Effective January 1, 2011, the new income limit was applied to all remaining households exceeding 175% of FPL.
5. **Tribal TANF Maintenance of Effort (MOE) Funding Reduction** - Effective January 1, 2011 state MOE funding for Tribal TANF programs was reduced by 6.3% in response to the Governor's Across-the-Board budget reduction directive.

## Appendix 8

### Major Changes in ESA Programs by Month

6. **WorkFirst Funding for Children's Administration** - Effective January 1, 2011 WorkFirst funding used to support the delivery of child welfare services was reduced by 6.3% in response to the Governor's Across-the-Board budget reduction directive.

#### December 2010

1. **Naturalization** - The Department eliminated the Naturalization program which was projected to serve approximately 4,200 clients in 2010. The program provided assistance, such as help paying fees and preparation for the Naturalization test, to individuals who received public assistance, but had not yet attained citizenship. Although the Naturalization program included a proviso for a small portion of the funding, the majority of the program funding was provided by the State's General Fund.
2. **Refugee Services** - The Department reduced contracts with community-based agencies that provide employment placement, English-as-a-Second-Language (ESL) training, job skills training, job search workshops, and job retention services for refugees and legal immigrants with limited English proficiencies who receive TANF or Refugee Cash Assistance, and those who have resided in the United States for less than five years but do not receive assistance. The reductions were effective December 1, 2010 and limited services available to this population.
3. **TANF Two-Parent Participation Change** - An additional participation option was added to allow both parents in a qualifying family to split the 35 hour per week requirement.

#### October 2010

1. On August 12, 2010, the Governor announced the details of a plan to keep the WorkFirst budget in balance. Faced with a \$51 million shortfall, difficult decisions had to be made to ensure a balanced budget and protect the safety net for vulnerable families and children. The following changes became effective October 1, 2010:
  - a. **Eliminated Services**
    - i. Post TANF/SFA Services – All support services and tuition assistance for clients who no longer received Temporary Assistance for Needy Families (TANF) or State Family Assistance (SFA) were eliminated. Staff no longer provided clients with post-TANF support services or post-TANF tuition assistance once a client had exited the program.
    - ii. Sanction Review Panel – The Sanction Review Panel (SRP) was eliminated.
  - b. **Suspended Services**

The Career Services Program (CSP) administered by the Employment Security Department was suspended.
  - c. **Reduced Services**
    - i. **Diversion Cash Assistance (DCA)** -The maximum Diversion Cash Assistance (DCA) allotment was reduced to \$1,250 from \$1,500 in a 12 month period.
    - ii. **Working Connections Childcare (WCCC)** - Income limit for (WCCC) was reduced to 175% of the Federal Poverty Level (FPL). The new income limit was used to determine eligibility:
      - a) When the current authorization period ends for families with open WCCC cases.

## Appendix 8

### Major Changes in ESA Programs by Month

- b) For new WCCC applications submitted on or after October 1, 2010.
- iii. **Reduced Partner Agency Funding and Expenditures**
  - a) DSHS staffing program support costs were reduced by 6%
  - b) Education and training expenditures and funding to the State Board for Community and Technical Colleges were reduced by 10%
  - c) Employment services expenditures and funding to Employment Security Department were reduced by 2.1%
  - d) Funding for Supported Works programs operated by the Department of Commerce was reduced by 9.8%. This eliminated the Supported Works programs once funding was exhausted in December 2010.
- d. **Participation Requirement Change**

Two-Parent Participation - Two-parent households were now able to coordinate their activities to meet WorkFirst participation requirements. The parents were required to engage in at least 35 hours per week of WorkFirst activities (30 hours core/5 hours of core or non-core). One parent in a qualifying two-parent household could opt out of participation as long as the participating parent was engaged in WorkFirst activities at least 35 hours per week. Effective December 1, an additional option was added to allow both parents in a qualifying family to split the 35 hour per week requirement.
- e. **AREN Change**

Additional Requirements (AREN) - Rules for AREN did not change but were reinforced. In accordance with WAC 388-436-0002, prior to issuance of funds for utility assistance, a client was required to apply for local community resources and submit written verification from the community provider that utility assistance was not available.

Refer to the link to LIHEAP funds available in local communities at <http://www.liheapwa.org/Page.aspx?nid=12>

As of October 2010, AREN requests beyond \$500 and up to the \$750 program limit now required referral to a supervisor or designee for approval.

- 2. *Elkins v. Dreyfus* – **Disability Lifeline time limits were stopped.**
  - a. A lawsuit was filed in August 2010 against the Department regarding the implementation of the time limits for the Disability Lifeline (DL) program. The plaintiffs sought an injunction to stop any termination of benefits and to reinstate October benefits for those terminated from the program. On October 13, 2010, a federal District Court judge issued a temporary restraining order, prohibiting the Department from terminating Disability Lifeline clients due to time limits and ordering the Department to reinstate benefits for persons previously terminated for time limits. The court found that plaintiffs were likely to succeed in their claims that they did not receive adequate notice of termination and that the Department's disability review process did not determine whether the plaintiffs met the SSI disability standard prior to termination, as required under the statute. It was determined that the Department did not have the resources to complete the full five-step sequential evaluation process for SSI disability for all clients subject to the time limits and was unable to implement the policy under the current statutory language. Therefore, the Department reinstated benefits for all affected clients and did not implement time limits before the disability lifeline program was eliminated in October 2011.

## Appendix 8

### Major Changes in ESA Programs by Month

- b. The Department revised the estimated ratable reduction that was scheduled to take effect January 1, 2011. The revised reduction was increased from approximately 11.83% to grant payment standards for Disability Lifeline clients (formerly General Assistance) to 23.85% due to the effect of the TRO. About 41,000 clients, who were eligible for the program due to a temporary incapacity, were affected by the reduction.

#### September 2010

1. Governor Gregoire announced that all state agencies had to **reduce their budgets** by 6.3%. ESA was required to achieve a reduction target of about \$36.56 million in General Fund-State savings between October 1, 2010 and June 30, 2011.
2. **Disability Lifeline** – time limits took effect. By September, case reviews had to occur for all clients who had been on assistance for at least 12-19 months. A client could be terminated, due to the time limits, unless the case had been reviewed to determine whether client was likely to be eligible for SSI.

#### July 2010

1. **CEAP eligibility was expanded** to include families who had been terminated due to NCS and who were participating for 4 consecutive weeks before they could qualify for TANF/SFA.
2. **Disability Lifeline (DL) changes** mandated by E2SHB 2782 began July 6, 2010:
  - a. Chemical dependency treatment became a condition of eligibility for all DL recipients who were assessed as chemically dependent;
  - b. Training for chemical dependency treatment, vocational rehabilitation services and sanction policy became available;
  - c. Case reviews were to be completed by July, 2010 when a client had been on assistance for at least 20 months; and
  - d. Early SSI Transition Project began in King, Pierce and Spokane counties – the Department contracted with a managed health care system, Community Health Plan of Washington (CHPW), to operate a project intended to quickly transition Disability Lifeline recipients to Medicaid and SSI. Under the project, CHPW would:
    - i. (Starting 08/01/2010) help recipients identified as potentially disabled file and pursue applications for Supplemental Security Income (SSI).
    - ii. (Starting 11/01/2010) schedule and perform incapacity evaluations when medical evidence was not already available.
3. **NCS Termination Policy** was changed so that families were terminated after four consecutive months of sanction. Prior policy was to terminate after six months of sanction. In addition:
  - a. Parents who were terminated for non-compliance sanction were required to comply with program requirements for four consecutive weeks before they could receive a TANF grant, regardless of the length of time between termination and reapplication.
  - b. All parents who exited TANF while they were in sanction status were required to come back in sanction when they reapplied, regardless of the length of time they had been off TANF.

## Appendix 8

### Major Changes in ESA Programs by Month

- c. The process was streamlined by eliminating one case staffing, giving parents one comprehensive case staffing before sanction occurred. Effective October 1, 2010 the panel that reviewed cases prior to termination was eliminated.
4. **Career Services Program (CSP)** eligibility changes took effect. In response to budget reductions, CSP no longer enrolled Basic Food Assistance parents. Basic Food Assistance parents that had enrolled in CSP prior to July 1, 2010, continued to receive services and assistance for the duration of their six months enrollment as long as they maintained their program eligibility.
5. Effective July 1, 2010, DCS adopted rules to provide that collections from federal tax refund offset were to be applied only to support arrears, and first to arrears assigned to the State; this rule change was based on budgetary needs.

#### May 2010

1. **The following Disability Lifeline medical evidence rule changes** took effect:
  - a. Diagnoses of impairments based on examinations performed within 12 months of the application were now accepted.
  - b. Rules clarified that the Department could use only diagnoses of impairments that were independent of addiction or chemical dependency, defined as “expected to persist after 90 days of abstinence,” to determine incapacity.
  - c. A medical evidence request letter for physical impairments (Form 14-150) was revised to support these changes.

#### April 2010

1. The **WorkFirst procedures for approving deferrals and exemptions** for WorkFirst parents who were needed in the home to care for children and adult relatives with physical, mental or emotional disorders were changed:
  - a. The changes limited Children with Special Needs Public Health Nurse evaluations to an initial evaluation unless a supervisor approved a follow-up evaluation.
  - b. Two Public Health Nurse Evaluation forms were condensed and consolidated into a new DSHS 10-255, Special Needs Evaluation and Engagement Recommendations form. The revised form focused on the child’s care requirements, the parent’s ability to participate, and how long the parent was expected to be needed in the home to care for the child.
  - c. The changes eliminated the case staffing and set new criteria for approving disability-related exemptions.

#### March 2010

1. Effective March 29, 2010, the State Legislature enacted E2SHB 2782, which eliminated the General Assistance (GA) program and created the **Disability Lifeline (DL)** program. Major characteristics of the new DL program are:
  - a. Time limits of 24 months out of 60 months, effective September 1, 2010 through June 13, 2013;
  - b. Participation in a chemical dependency treatment or vocational rehabilitation services as conditions of eligibility;

## Appendix 8

### Major Changes in ESA Programs by Month

- c. Creation of a housing voucher program administered by the Department of Commerce;
- d. Develop and use a new assessment tool to determine whether Division of Vocational Rehabilitation programs could assist Disability Lifeline recipients in returning to work;
- e. Require the Department, during the application process, to ask if the applicant had ever served in the U.S. military. If yes, the Department must confer with the State of federal Department of Veterans Affairs or contracted veteran's affairs service officer to determine whether the applicant might be eligible for any benefits or programs offered to veterans; and
- f. Requires the Department to contract with a managed health care system or other qualified entity to operate a project aimed at quickly transitioning individuals with a disability who are likely to qualify for federal disability benefits into the Disability Lifeline Expedited Program, extending what was previously known as the GA-X program. The pilot began in King, Pierce and Spokane counties July 1, 2010 with a mandate to expand statewide by October 1, 2011.

#### November 2009

- 1. Most GA-U recipients began access to **Medical Care Services (MCS)** benefits through Community Health Plan of Washington (CHP). CHP provided medical benefits to GA-U recipients in King and Pierce Counties beginning January 2005 through a managed care pilot project. A mental health component was added to the pilot in December 2007.

#### October 2009

- 1. **Income rules** for employed General Assistance recipients changed to a 50% earned income disregard.
- 2. **A new Washington State Child Support Schedule** was implemented. Changes included:
  - a. The presumptive minimum child support order increased to \$50 per month per child;
  - b. The need standard was replaced by a "self support reserve" set at 125% of the federal poverty level;
  - c. The schedule was now presumptive from the \$1,000 to \$12,000 income levels;
  - d. Income from second jobs was excluded from the gross income calculation;
  - e. New rules were created for imputing income.
- 3. Based on requirements in the federal regulations, Child Support orders entered in Washington State were now required to have language requiring medical support from both parents and allowing for a collection of a medical premium share against one or both parents when that parent did not provide insurance. If the obligated parent did not provide health insurance for the child and the order contained a provision for allowing collection of the medical premium share, that share could be collected upon request. Each parent was responsible for a proportionate share of uninsured medical costs. Upon proof of expense, DCS would enforce uninsured medical costs.
- 4. Annual federally required standards were updated for Basic Food and WASHCAP.



## Appendix 8

### Major Changes in ESA Programs by Month

#### September 2009

1. **WorkFirst participation requirements for dependent teens** were eliminated.
2. **Standardized WorkFirst policies and procedures** were established to help parents with physical, mental and emotional conditions become employable, and for those with severe and chronic health conditions, to access federal disability benefits.

#### July 2009

1. **General Assistance (GA) program changes** were implemented as required by the 2009-2010 Operating Budget, including:
  - a. Working with the Department of Veteran Affairs to establish a referral process to facilitate applications for veteran's services.
  - b. Implementing a plan to evaluate General Assistance Unemployable (GA-U) cases that had been on assistance for over 12 months to determine if the available medical and incapacity related evidence indicated the recipient should remain on GA-U or be referred to General Assistance Expedited Medicaid (GA-X).
  - c. Referring appropriate GA recipients to Naturalization Services.
  - d. Referring appropriate GA recipients to Workforce Development Councils in King, Pierce, Snohomish and Spokane Counties for worker retraining or development services.

#### April 2009

1. **Suspended support services** for parents enrolled in Career Services due to Diversion Cash Assistance.
2. **The American Recovery and Reinvestment Act of 2009 (ARRA)** provided a 13.6 percent increase in the maximum Supplemental Nutrition Assistance Program (SNAP) benefits (Basic Food). This equated to a \$24 increase for a one person household.

#### February 2009

1. **The Career Services program was expanded** to include Non-Assistance Food Stamps (NAFS) parents who were working 30 hours per week.
2. **Under the Low Income Home Energy Program (LIHEAP) \$1 payments were provided** to all households receiving Basic Food benefits. This joint effort between DSHS and the Department of Commerce leveraged federal LIHEAP funds to confer the highest utility deduction for Basic Food available, resulting in increased benefits for many households. The payment also reduced administrative effort related to verifying household utility costs. Washington's issuance of federal SNAP benefits increased by approximately \$3.6 million monthly or \$43.4 million on an annual basis as a result of this initiative.

## Appendix 8

### Major Changes in ESA Programs by Month

#### October 2008

1. Effective October 1, 2008 **the Gross Income Standard for the Basic Food Program (BFP)** was raised from 130% to 200% of the Federal Poverty Level for Categorically Eligible (CE) households (under BFP rules, most households are CE). An extensive marketing and outreach campaign was implemented to inform potentially eligible households of the new rules. An additional 23,300 households were expected to qualify for BFP as a result of this change.
2. The Division of Child Support (DCS) began paying **pass-through payments** to TANF recipients beginning October 1, 2008. Recipients received up to \$100 a month of support collected for one child, and up to \$200 a month of support collected for two or more children. The pass-through payment did not affect TANF grants.
3. Effective October 1, 2008 the **final federal regulations for the Deficit Reduction Act of 2005** went into effect. The Division of Child Support (DCS) now applied Funds intercepted from the Internal Revenue Service (IRS) to current support.
4. Effective October 1, 2008 **the final federal regulations for the Deficit Reduction Act of 2005** went into effect. These final regulations expanded the types of activities that counted towards participation, changed the methodology for counting job search and excused absences towards participation, and relaxed some of the participation documentation requirements.
5. Effective October 1, 2008 **provisions of the 2008 Farm Bill** went into effect. These provisions included an increase in the standard income deduction, an increase in the minimum benefit for one and two-person households, and removal of the cap on the dependent care expense deduction.

#### August 2008

1. Effective August 1, 2008 ESA implemented policy changes to promote family reunification and supporting temporary placement of children with relatives. The primary changes included:
  - a. Extending eligibility for TANF cash and medical benefits from 90 to 180 days when a child is temporarily absent and is expected to return to the home within 180 days.
  - b. Providing concurrent TANF benefits for the child for up to 180 days to both the parent and another adult caregiver with whom the Division of Children and Family Services has placed the TANF child.
  - c. Allowing a child who is temporarily out of the home due to hospitalization to be added to the TANF grant.

#### July 2008

1. Effective July 1, 2008 the TANF, SFA, CEAP and RCA payments standards were increased by three percent.

#### February 2008

## Appendix 8

### Major Changes in ESA Programs by Month

1. On February 12, 2008 the Division of Assistance Programs restructuring of headquarters staff was completed. The division was renamed the Community Services Division.

#### December 2007

1. Local Community Services Offices began referring parents in long-term WorkFirst sanction or who lost TANF benefits due to non-compliance sanction to **Pathway-to Engagement** contractors. These contractors helped parents re-engage with the WorkFirst program or develop exit plans for supporting themselves without a monthly cash grant. Pathway-to-Engagement services were mandated and funded under a proviso in the 2007-09 Biennial Operating Budget.
2. On December 10, 2007 ESA began implementing the **federal Disaster Food Stamp Program** (DFSP) in Grays Harbor and Lewis counties to provide emergency food benefits for storm and flood victims. Under the DFSP, the USDA Food and Nutrition Service allowed States to waive regular Food Stamp Program eligibility rules for persons in federally declared disaster areas. On December 18, 2007 the DFSP was expanded to Thurston, Mason and Pacific counties. On December 21, 2007 the program was expanded to Clallam and Kitsap counties. By January 7, 2007 over \$5.2 million in DFSP benefits had been issued to over 16,000 households. In addition, regular Basic Food Program (BFP) recipients were authorized replacement issuances for food lost during the disaster.

#### July 2007

1. Effective July 1, 2007 ESA and the Employment Security Department implemented a **new WorkFirst Career Services program** to provide services to families who left TANF and who were employed at least 30 hours per week. The program was administered primarily by ESD and provides cash payments and employment services for up to six months for eligible parents who choose to enroll. The Career Services program was a post-TANF work transition program funded under the WorkFirst program budget.
2. Effective July 1, 2007 ESA, the WorkFirst Partner agencies, and WorkFirst contractors began implementing **procedures for verifying actual hours of client participation** in activities that were used to determine the federal TANF participation rate. These included job search and job readiness activities, community service and work experience, and some education and training activities. Verification of actual hours of participation in these activities was required under the federal Deficit Reduction Act of 2005.
3. Effective July 22, 2007 ESA began implementing Second Substitute Senate Bill 6016, which changed the **WorkFirst infant exemption** by allowing parents to be exempt from participation for up to 12 months in the parent's lifetime.
4. Effective October 1, 2007 the **federal Deficit Reduction Act of 2005** required state child support agencies to charge a \$25 annual fee on each case when:
  - a. The custodian had never received Temporary Assistance for Needy Families (TANF), Tribal TANF or Aid to Dependent Families (AFDC) funds as a custodian of minor children, and

## Appendix 8

### Major Changes in ESA Programs by Month

- b. The support agency had paid \$500 in collections to the custodian on the case during the federal fiscal year (October through September).

#### April 2007

1. On April 16, 2007, two divisions in the DSHS Economic Services Administration – the Community Services Division and the Division of Employment and Assistance Programs – **began merging into a single division** - the newly defined **Community Services Division**. This merger brought public assistance policy development, program management, service delivery and field operations in regional offices and Community Services Offices (CSO) all together under a single “roof.”

#### July 2006

1. **The Department of Early Learning (DEL)** came into existence July 1, 2006 as a result of Second Substitute House Bill 2964. This legislation was requested by Governor Christine Gregoire and was passed by the 2006 Washington State Legislature. The Department was formerly known as the Division of Child Care and Early Learning (DCCEL) and was housed within the Economic Services Administration. The newly formed department included other programs, such as the Early Childhood Education and Assistance Program, also known as ECEAP, which was once part of the Department of Community Trade and Economic Development (CTED), as well as the Early Reading Initiative, formerly part of the Office of the Superintendent of Public Instruction (OSPI). Refer to DEL’s data site at <http://www.del.wa.gov/publications/research/>.

#### June 2006

1. WorkFirst parents began going through a **new Comprehensive Evaluation (CE) process** (see WorkFirst changes outlined in December 2005 below). The Comprehensive Evaluation was a multi-part evaluation conducted by WorkFirst partner agencies to identify a parent’s strengths, participation options and best pathway to employment. Primary objectives of the Comprehensive Evaluation included:
  - a. Increased parent involvement in developing their plan for participation, resulting in more parent buy-in and better results;
  - b. Better information about parents’ skills and abilities and quicker placement in an employment pathway;
  - c. More objective case management decision making based on clearer program criteria; and
  - d. More consistency in how the WorkFirst program operates across the State through stronger program standards.
2. **WAC changes for the new Non-Compliance Sanction for WorkFirst** were filed on June 1, 2006 with a September 2006 effective date (see WorkFirst changes outlined in December 2005 below). Under the new sanction policy, a family would lose its WorkFirst cash grant after six months of sanction for refusal to participate in WorkFirst activities. The six-month count for families in sanction status began September 1, 2006.

## Appendix 8

### Major Changes in ESA Programs by Month

3. **Sanctioned WorkFirst** parents were no longer automatically assigned protective payees. Protective payees continued to be available for teen parents and to help those families who had difficulty managing their cash grants.
4. **Child Safety Net Payments** for parents who had been on WorkFirst over 60 months and were not in compliance with WorkFirst work requirements were no longer issued to a protective payee but issued directly to the family.
5. In accordance with the federal Deficit Reduction Act of 2005, federal rules requiring states to begin **verifying citizenship** for those receiving Medicaid went into effect.

#### May 2006

1. **Education and training changes** for WorkFirst went into effect in May 2006. (See WorkFirst changes outlined in December 2005 below). These changes allowed more parents to engage in full-time education/training and to combine more types of activities with education/training.

#### April 2006

1. **Utility standards** for the Basic Food Program and the Washington State Combined Application Program (WASHCAP) changed in April 2006 to partially offset the increase in energy costs.
2. **Positive prevention strategies** for WorkFirst went into effect in April 2006. (See WorkFirst changes outlined in December 2005 below). WorkFirst parents and applicants were informed about alternatives to WorkFirst cash assistance and linked to other services that can meet their needs, including:
  - a. Child Support;
  - b. Basic Food;
  - c. Medical Assistance;
  - d. Unemployment Benefits;
  - e. Child Care assistance; and
  - f. Diversion Cash Assistance.

#### March 2006

1. The Washington State Legislature passed Substitute House Bill 2394, which required the Department of Social and Health Services to start **assessing WorkFirst parents for financial literacy** during the comprehensive evaluation effective January 1, 2007. The legislation directed DSHS to offer referrals to financial literacy services available in the local communities to all WorkFirst parents to help them become self-sufficient and financially stable.

#### February 2006

1. On February 8, 2006, President Bush signed into law S. 1932, **the federal Deficit Reduction Act** (DRA) of 2005 that reauthorized the TANF program for an additional five years. The DRA contained significant changes that would impact the State's TANF program, WorkFirst, and child

## Appendix 8

### Major Changes in ESA Programs by Month

support enforcement. Interim final federal regulations for TANF were issued in July 2006 with an October 1, 2006 effective date. Changes to TANF and child support included:

- a. A requirement that the federal Administration for Children and Families define work activities for TANF.
- b. Redefinition of which adults were required to participate in WorkFirst activities.
- c. Recalibration of the TANF caseload reduction credit, replacing the FFY 1995 base year with a base year of FFY 2005.
- d. Establishment of the TANF work verification requirements for states, under which states could now lose up to five percent of the TANF federal block grant for failure to comply.
- e. Disallowance of states from using federal child support performance incentive funds to draw down federal matching funds, effective October 1, 2007.
- f. A requirement for states to charge families that had never received TANF-funded assistance an annual fee of \$25 if the State collected at least \$500 in support.
- g. A requirement for states to pursue medical insurance from custodial parents in appropriate cases where the insurance was not provided by the non-custodial parent, and to recover unpaid co-pays, deductibles and medical costs.
- h. Changes gave states the option to pass through to TANF families up to \$100 per month in child support for one child and up to \$200 per month in child support for two or more children, and to disregard that assistance to the family as income for TANF. States could choose to make this change effective October 1, 2008.
- i. Limits on the amount of child support that TANF recipients must assign to the State. Effective October 1, 2009 or one year earlier (at state option), the allowable assignment would be limited to the amount of child support due to the custodial parent for each month that TANF was received by the family (limited to the total amount of TANF expended). Past due (unpaid) child support would no longer be assigned to the State.

#### January 2006

1. A court order from the **WASHCAP lawsuit** (*Chamberlain v. DSHS*) was implemented. Approximately 41,500 low-income aged, blind, and disabled residents who participated in WASHCAP were to share \$2.7 million in food benefits to comply with the Thurston County Superior Court ruling.
2. In accordance with Engrossed Second Substitute House Bill 1290 (passed by the 2005 Legislature), new **expedited medical determinations procedures** were phased into selected areas of the State to help jail and prison inmates and psychiatric hospital patients with serious disorders get immediate access to Medicaid and other medical assistance programs upon their release from confinement. The following Community Services Offices (CSOs) worked in partnership with local jails, prisons, institutions and Regional Support Networks to do speedy medical eligibility determinations: Spokane Southwest CSO; Spokane Central CSO; Yakima CSO; Kennewick CSO; Sky Valley CSO; Everett CSO; Mt. Vernon CSO; Bellingham CSO; Oak Harbor CSO; Belltown CSO; Bremerton CSO; Pierce North CSO; Olympia CSO; and Columbia River CSO.

#### December 2005

1. Governor Gregoire's **WorkFirst Re-examination Workgroup**, established to make recommendations to improve the WorkFirst program and achieve financial sustainability, and

## Appendix 8

### Major Changes in ESA Programs by Month

presented its final recommendations which were endorsed by the Governor. The Governor issued the following program and policy directives:

- a. Increase the use of positive prevention strategies to determine whether services other than WorkFirst cash assistance will meet the need of parents. Examples of these services included child support, medical, Basic Food, and Diversion Cash Assistance. The Department was directed to complete an upfront screening of all new and returning WorkFirst applicants and to help parents access alternative supports. This change was implemented in **April 2006**.
- b. Expand education and training opportunities to allow more parents to engage in full-time education/training. This change was implemented in **May 2006**.
- c. Complete a cross partner agency evaluation of all WorkFirst parents to identify strengths, participation options, and best pathway to employment. This process was called the Comprehensive Evaluation (CE), and was implemented in **June 2006**.
- d. Implement a non-compliance sanction policy that would end WorkFirst cash assistance for families refusing to participate in program activities for six consecutive months. The six-month count for families in sanction status began **September 1, 2006**.

#### November 2005

1. Families receiving Basic Food at the time they transitioned off of WorkFirst and Tribal TANF to self-sufficiency were automatically eligible for **Transitional Food Assistance (TFA)**, which was five months of Basic Food benefits after the TANF cash grant ends. TFA was not available to the following families: (1) families in which someone was in sanction (for not complying with work requirements or child support collection requirements), and (2) families whose TANF cash grant ended because the family moved out of state. During the five-month TFA period:
  - a. The family would not have to report any changes in their household;
  - b. The TFA benefit would be based on the family's circumstances in the last month they were on WorkFirst but would be adjusted to exclude the TANF grant; and
  - c. The benefit level was frozen for the five-month period.
2. **Child care subsidy rates** for licensed providers were raised 6.47%.

#### October 2005

1. **Annual updates to WASHCAP standards and Basic Food income standards**, maximum benefit amounts, standard deduction, and maximum shelter standard went into effect.

#### September 2005

1. **Felons with drug convictions** could now receive TANF. Senate Bill (E2SSB) 5213 (Chapter 714, Laws of 2005) exercised the State option to exempt individuals convicted of a drug-related felony from the TANF ban on the receipt of benefits.

#### July 2005

1. **WPLEX (Washington Post-Employment Labor Exchange)** was eliminated after WorkFirst budget reductions mandate changes to client services that were provided by ESD.

## Appendix 8

### Major Changes in ESA Programs by Month

2. **New EBT (Electronic Benefit Transfer) features** allowed clients to see their account information online 24 hours a day, seven days a week. Using their EBT card and Personal Identification Number (PIN), clients could now:
  - a. see current EBT cash/food balances;
  - b. see 180 days of EBT transactions;
  - c. download an online statement of transactions to their PC;
  - d. change their PIN in "real time"; and
  - e. send and receive messages to/from EBT customer services representatives.

#### June 2005

1. EJAS system was modified to **record actual hours of work participation** replacing the time-block model in use.

#### March 2005

1. **Columbia Legal Services (CLS)** was verbally upheld in WASHCAP lawsuit. Emergency rule filing was rendered void by Superior Court and the department was directed to restore benefits to WASHCAP class of recipients for period of January 1, 2005 through March 22, 2005.

#### February 2005

1. DSHS was sued by **Columbia Legal Services (CLS)** over a WASHCAP emergency rule filing. CLS asserted that the department did not have sufficient justification to file an emergency rule change.

#### January 2005

1. **WASHCAP rules** were amended by emergency adoption to maintain cost-neutrality as required by FNS. Changes were:
  - a. The benefit calculation used the limited utility allowance (LUA) instead of the standard utility allowance (SUA).
  - b. The opt-out rule was changed to allow people to opt-out of the program based on their shelter expenses or if they made the request prior to January 1, 2005. The provision to opt-out when Basic Food benefits would be greater than WASHCAP benefits was removed.

#### October 2004

1. **Annual updates** to Basic Food income standards, maximum benefit amounts, standard deduction, and maximum shelter standard went into effect.
2. **Simplified reporting changes** went into effect for cash, medical and Basic Food. Senate Bill 6411 (Chapter 54, Laws of 2004) required the Department to implement simplified reporting for the Basic Food program beginning October 2004.



## Appendix 8

### Major Changes in ESA Programs by Month

#### July 2004

1. **New maximum child care subsidy rates** for Spokane County went into effect until July, 2005.
2. **Basic Food eligibility restrictions for persons convicted of a drug-related felony** were removed as mandated by Senate Bill 6411 (Chapter 24, Laws of 2004). The fleeing felons provisions still applied to Basic Food.

#### May 2004

1. **Categorical Eligibility (CE)** was expanded to eliminate resource requirements for most Basic Food applicants and recipients. Changes in federal regulations now allowed states to use non-cash services paid for with Temporary Assistance for Needy Families (TANF) funds to make people categorically eligible for Basic Food. Assistance Units (AU) that were categorically eligible for Basic Food did not have to meet the resource or net income requirement for Basic Food.
  - a. Households that currently had CE status would not be affected by the change. Most AUs who met any of the following criteria were categorically eligible:
    - i. An AU where all persons received General Assistance (GA), Alcoholism and Drug Addiction Treatment and Support Act (ADATSA), or Supplemental Security Income (SSI) benefits;
    - ii. An AU where any person received TANF, State Family Assistance, or Diversion Cash Assistance; or
    - iii. AUs that met the gross income limit for Basic Food.
  - b. Circumstances when a household that met CE criteria could not be categorically eligible for Basic Food included situations such as:
    - i. The head of household of the Basic Food AU failed to meet work requirements;
    - ii. Anyone in the AU was disqualified for an Intentional Program Violation (IPV); or
    - iii. Anyone in the AU was a disqualified drug-felon (*through 6/30/04*).
  - c. Households that met the new CE requirements did not have to meet the resource or net income limits for Basic Food. However, CE households still had to meet other Basic Food eligibility requirements.
  - d. A person who was ineligible for Basic Food for a reason other than income or resources would not be made eligible due to the AU's CE status. An example of this is an ineligible fleeing felon.
2. **Changes to sanction policies** went into effect. The graduated three-level process was replaced by a single process. When a WorkFirst recipient refused to engage in work and work activities, a penalty equal to the greater of either 40% or the non-compliant person's pro-rata share was to be deducted from the grant and the grant was sent to a protective payee until the sanction was lifted.
3. **Revised WACs for WCCC** were filed.

#### April 2004

## Appendix 8

### Major Changes in ESA Programs by Month

1. **AREN payment policy** was revised to allow multiple payments within a 12-month period but were capped at a total of \$750. Exception to rules were still granted at state-office level and had to be related to health and safety.
2. **New background checks** were not needed for WCCC when the results were less than 90 days old and the BCCU letter stated "No Record".

#### January 2004

1. **Changes to WorkFirst Post-60-Month policies** took effect:
  - a. **"Playing by the Rules"** was changed to "Full-Time Participation. After 60 months, participation consisted of working or preparing for work full-time (including Community Jobs, pre-approved educational/training activities, or a combination of work-related activities); barrier removal activities would be approved only in addition to full-time preparation if the client was considered to be 'playing by the rules.'"
  - b. **Temporary Hardship Exemption** - Clients who reached 60 months on TANF and beyond who were unable to participate in full-time work-related activities could meet the criteria for a TANF Hardship Extension and possibly be exempt from participation. The criteria for a hardship extension approval were based on verification of the issue, severity, duration, and impact on client's ability to function in the workplace.
  - c. **Changes to Child SafetyNet (CSN)** - Clients now had the opportunity to return to full-time participation and full grant status, but had to fully participate for 12 weeks before the CSN status could be lifted.
2. **Need Standards for Cash Assistance** were updated to reflect annual cost-of-living adjustments.

#### December 2003

1. **Changes to Basic Food eligibility requirements** for strikers and those attending institution of higher education at least half-time went into effect:
  - a. **Striker eligibility**—the definition of strike now included expiration of a collective bargaining agreement, and eligibility was determined using the greater of the striker's income before the strike or the striker's current income.
  - b. **Student eligibility**—for students attending an institute of higher education, employment for 20 hours a week must be *paid employment*; self-employed students could be eligible if they worked at least 20 hours a week and earned at least as much as they would earn working 20 hours a week at the federal minimum wage; students had to be responsible for *more than half* of a dependent's care; and a student was eligible for Basic Food based entirely on work study, only while they were working and receiving money through the work study program.

#### November 2003

1. **Changes to client reporting requirements, verification, and interview requirements** for the Basic Food program went into effect:
  - a. **Change Reporting/Income Budgeting**—the threshold for reporting changes in unearned income increased from \$25 to \$50; job changes only needed to be reported if there was a

## Appendix 8

### Major Changes in ESA Programs by Month

change in income; and changes in income that were expected to last at least 1 month beyond the date reported required an adjustment to the AU income estimate.

- b. **Verification**—clients no longer needed to verify income when the change was \$50 or less; medical expenses if they changed by \$25 or less; and unchanged child support paid to someone outside the AU.
  - c. **Interview Requirements**—clients could have a telephone interview if they had trouble attending an in-office interview; interviews were required at initial application and every 12 months; and staff could use a desk review if the AU had an interview within the last 12 months.
2. SSI recipients who are blind or age 65 and older began receiving **State Supplemental Payments (SSP)**. These two groups of SSI recipients increased the number receiving the ESA SSP to about 30,000.

#### October 2003

1. **Annual updates to Basic Food income standards, maximum benefit amounts, standard deduction, and maximum shelter standards** went into effect.

#### September 2003

1. ESSB 2252 **changed the burden of proof from the Department to the recipient** for continuing GA benefits based on incapacity.

#### August 2003

1. The client monthly co-pay for **WTAP participation** increased from \$4 to \$8.

#### July 2003

1. **Post-employment services** for post-TANF families were reduced from 24 months to 12 months.
2. **Support services** changed:
  - a. Services for post-TANF families were reduced from 12 months to 6 months;
  - b. Car repairs were reduced from \$500 to \$250 per year;
  - c. Clothing payments were reduced from \$200 to \$75 per year;
  - d. Liability insurance was no longer available except via ETR; and
  - e. ESD no longer authorized support services for relocation, diapers, or personal hygiene (this authorization was only made by DSHS and OTED).
3. **Employment supports paid for by GA program funds**, known as the WorkPlus program, were discontinued. This use of program funds was authorized by the legislature in July 2001.
4. **Community Service Voice Mail (CSVM)**, a component of WTAP, became effective. DSHS began the development of an agreement with the Department of Community, Trade and Economic

## Appendix 8

### Major Changes in ESA Programs by Month

Development to provide a portion of the WTAP budget for operation of CSVM to provide homeless individuals with a community service voice mail box.

#### June 2003

1. **WTAP rate changes** went into effect limiting the amount a telephone company could be reimbursed out of the WTAP fund for monthly services to a maximum of \$19.
2. **Completed background checks** were required for in-home and relative providers prior to start date of subsidy payments, ending the practice of backdating benefits to the date the original request was received upon approval through the background check process.

#### May 2003

1. Substitute House Bill (SHB) 1624 was signed into law on May 7, 2003 permanently authorizing the **Washington Telephone Assistance Program (WTAP)** which was scheduled to expire on June 30, 2003. In addition to permanently authorizing the WTAP program, effective July 1, 2003 the program was expanded to include Community Service Voice Mail (CSVM) as a component. DSHS was directed to enter into an agreement with the Department of Community, Trade and Economic Development to provide a portion of the WTAP budget for operation of CSVM which would provide homeless individuals with a community service voice mail box.
2. **AREN payments based on Exception to Rule (ETR)** were reinstated on a limited basis and had to be approved at the State-office level. Only those relating to health and safety were granted.

#### April 2003

1. **The Farm Security and Rural Investment Act of 2002**, P.L. 107-171, restored federal food stamp benefits to certain legal immigrants. Beginning in April, these families began receiving federal Food Stamp benefits and no longer received state-funded Food Assistance benefits (formerly known as FAP).
2. **Community and Technical colleges were no longer eligible for an enhanced rate for consumers** who were enrolled in the Families-That-Work program or at Extended Hour Care sites.

#### March 2003

1. **The Working Connections Child Care (WCCC) co-pay** increased by \$25 for families with co-payments of \$25 or more.
2. **The Non-Standard Bonus for care** prior to 6 a.m., after 6 p.m., and weekends was eliminated.

#### February 2003

## Appendix 8

### Major Changes in ESA Programs by Month

1. **The Early Exit Bonus** (sometimes called the transitional work expense) was eliminated. The second early exit bonus of \$500 could only be authorized for persons who received their first \$500 payment on or before 1/31/2003.
2. **AREN payments were reduced** from \$1,500 to \$750 per 12-month period and all AREN payments based on Exception to Rule (ETR) were eliminated.

#### January 2003

1. **Supplemental Security Income (SSI) COLA** increased by 1.4%.

#### October 2002

1. The \$134 **standard deduction for food assistance** was replaced with a tiered deduction based on the number of individuals in the food assistance household. The Farm Security and Rural Investment Act of 2002 (P.L. 107-171) required that this standard be adjusted each year. No households received a deduction less than \$134.
2. **Eligibility for federal food stamp benefits** was expanded to include blind or disabled immigrants who received disability-related cash or medical benefits. This change was required under P.L. 107-171.
3. **The countable resource limit for food assistance households** that included a disabled individual was changed from \$2,000 to \$3,000. This change was required under P.L. 107-171.
4. **An annual adjustment to multiple standards for food assistance** for FFY 2003 was implemented. The following standards were updated: gross income limit, net income limit, maximum allotment, utility allowances, and the maximum shelter excess shelter deduction.
5. **The exemption of all homeless individuals from Able Bodied Adult Without Dependents (ABAWD)** Food Stamp Employment & Training Program requirements was removed. Homeless clients had to meet requirements or be exempt for a reason other than homelessness.
6. **The food assistance treatment of time-loss income** as unearned income for cash was adopted to make policy consistent in both programs. Time-loss benefits were counted as earned income for cash in certain situations.
7. **The department assumed state administration of SSI State Supplement Program**, a program that was previously administered by the Social Security Administration. The State legislature mandated that the Department assume administration of this program to reduce the administrative costs of the program.

#### August 2002

## Appendix 8

### Major Changes in ESA Programs by Month

1. The Economic Services Administration (ESA) implemented **TANF time limit extensions** in conjunction with the WorkFirst partner agencies - the Employment Security Department, Department of Community, Trade, and Economic Development, the State Board for Community and Technical Colleges and tribal governments. ESA conducted case staffing and extended benefits for families who need more than sixty months of TANF cash aid due to age, disability or inability to become self-sufficient. Parents who refused to participate in WorkFirst after 60 months on TANF would not receive money. To ensure that children were not penalized for their parents' choices, ESA provided Child SafetyNet Payments to a third party contractor to pay rent, utilities, and items for the children in the home.
2. **ESA implemented the WorkFirst Improvement Initiative** in conjunction with the WorkFirst partner agencies and tribes. The initiative increased accountability for clients and staff ensuring active engagement and progression through full-time participation requirements, close monitoring, daily sign-in at job search activities, a strengthened sanction policy, and monthly reporting by contractors.
3. **Graduated sanctions for TANF/SFA clients** who failed to participate in WorkFirst activities without good cause were implemented. Clients graduated to the next sanction level by remaining in sanction status or by returning to sanction status. After three months of sanction, it would take four weeks (instead of two) to cure the sanction. WorkFirst sanctions had three levels:
  - a. remove the person(s) share of the grant;
  - b. the reduced grant in the first level sanction was to be sent to a protective payee every month until the client cooperated and left sanction status; and
  - c. the grant was reduced by the person(s) share or forty percent, whichever was more. The grant continued to be sent to a protective payee until the client participates in WorkFirst activities.

#### July 2002

1. **Eligibility for the SSI State Supplement program was restricted** to SSI recipients who had an ineligible spouse based on Social Security Administration (SSA) criteria and individuals who SSA considers as Mandatory Income Level (MIL) clients. Beginning July 1, 2002, ESA paid about 5,200 people an SSP. About 100,000 SSI recipients' payments ended June 30, 2002. The current SSP amount for an individual with an ineligible spouse was \$70 per month. MIL recipients' payments varied based upon the amount of the payment they received in January 1974 when states converted from state programs for the aged, blind, and disabled to the Federal SSI program. MIL rates varied between \$0.74 and \$199.50 per month.
2. **A change in required background checks** was made to include any individuals sixteen years of age or older who resided with a provider when child care occurred outside the WCCC child's home.

#### June 2002

## Appendix 8

### Major Changes in ESA Programs by Month

1. With the passing of HB-1144, a **one-time exemption from full-time participation** was allowed in the WorkFirst program. Recipients who had a child between the ages of four months and 12-months might be exempt only once from full-time participation, however, part-time participation was required, up to 20 hours, until the child reached 12 months. Full-time participation was required with each subsequent child.
2. Criteria were adopted in June 2002 for **extending eligibility for TANF/SFA clients** beyond the 60-month limit established under PRWORA.
  - a. The following individuals were exempt from participating in WorkFirst activities:
    - i. older caretaker relatives;
    - ii. adults with chronic and severe disability including facilitated applicants for SSI or other federal disability benefits;
    - iii. clients caring for a child with special needs; and
    - iv. clients caring for an adult with disabilities.
  - b. The following adults were extended beyond the 60-month time limit:
    - i. those participating in WorkFirst activities;
    - ii. those that were impacted by family violence and are participating in approved family violence activities;
    - iii. those resolving barriers to employment; and
    - iv. those caring for an infant less than four months old.
  - c. Families beyond the 60-month limit where the adults were not participating in WorkFirst activities received a child safety net payment for only the children's needs. The Department assigned a protective payee to manage these benefits.

#### May 2002

1. Policy of using **Kelly Blue Book online** as the only source to determine a vehicle's value when determining resource eligibility for cash or food assistance benefits was adopted in May 2002. Clients retained the right to provide information from other sources if they disagreed with the value of the vehicle.

#### April 2002

1. The income eligibility level for **Working Connections Child Care Program (WCCC)** was decreased from 225% of the Federal Poverty Level (FPL) to 200%.
2. **A family's portion of the child care cost or co-payment** also changed in April 2002. For family income from 0 to 82% of the FPL, the co-payment increased from \$10 to \$15 per month. Families with income over 82% through 137.5% of the FPL, the co-payment increased from \$20 to \$25 per month. Families with income over 137.5% to 200% of the FPL experienced a \$5 per month increase in co-payment following the application of the co-payment formula. The WCCC program grew beyond expectations causing a budget shortfall. The changes were implemented in an attempt to reduce the deficit.

#### March 2002

## Appendix 8

### Major Changes in ESA Programs by Month

1. The JAS system was migrated to a web enabled system called e-JAS. **E-JAS** provided a 24/7 interactive and collaborative online case management tool that integrated employability screening, evaluation, assessment, case staffing, referrals, case notes, information exchange, support services payments and caseload/management reporting functions for the WorkFirst, Food Stamps Employment and Training, Teen parent barrier removal and Protective Payee programs. E-JAS users expanded from two state agencies - (DSHS) Community Services Division staff (Case Managers, Social Workers and supervisors) and Employment Security Department Counselors) to include the State Board for Community and Technical Colleges WorkFirst staff, Office of Trade and Economic Development Community Jobs partners, Contractors and Tribal Staff.
2. Legislative direction of the **State Supplemental Payment (SSP) program** changed when about \$21.3 million of the original \$28.9 million maintenance of effort (MOE) was transferred to the Division of Developmental Disabilities (DDD), leaving the Economic Services Administration with approximately \$7.6 million for SSP. The final budget bill included specific language regarding how the State should distribute SSP and who would receive payments. Within this change, the Legislature directed ESA to pay SSP to Mandatory Income Level (MIL) (a small number of people who have been receiving SSI continuously since 1974) and SSI recipients with a spouse ineligible for SSI benefits.

#### February 2002

1. New federal regulations were implemented replacing income received under Job Training Partnership Act (JTPA) income with the **new Workforce Investment Act (WIA)**. WIA income was treated the same as JTPA income.
2. **New rules for the earned income of a child** were implemented in February 2002. For food assistance and medical programs for families, children, and pregnant women, the new rule did not count the earnings of a child if the child was in school, age seventeen or younger, not married, and not emancipated. For cash assistance, the rule did not count the earnings of a child if the child was in school and met the age and attendance requirements to be considered a dependent child.

#### January 2002

1. Economic Services Administration implemented three **No Wrong Door (NWD) start-up sites** to provide a seamless access system for clients receiving services from multiple DSHS administrations and community based organizations. NWD integrated services through coordinated agency efforts and a single decision point. The start-up sites included one primary site in Seattle, and two volunteer sites in Puyallup and Spokane. All sites focused on long-term TANF recipients (30-60 months on TANF). ESA began expanding NWD to be incorporated into all community services offices by November 2003.
2. New federal regulations were implemented for **Assistance Unit (AU) composition for Food Stamps**. "Spouse" was now defined as a husband or wife through a legally recognized marriage.



## Appendix 8

### Major Changes in ESA Programs by Month

The Department no longer considered unmarried people as spouses when they presented themselves to the community as married. Ineligible ABAWDs were now considered ineligible AU members instead of non-household members. Live-in attendants were now optional members of the AU.

3. **Child care subsidy rates** were set at the 58<sup>th</sup> percentile of the 2000 Market Rate Survey.

#### December 2001

1. **Washington State Combined Application Project (WASHCAP)** was implemented in December 2001 on a statewide basis. WASHCAP was a 5-year demonstration project approved by FNS and partnered with SSA.
  - a. Clients had to be:
    - i. eligible for SSI money;
    - ii. at least age 18;
    - iii. unemployed; and
    - iv. living alone or purchasing and preparing food separately from others in the household.
  - b. Client benefits:
    - i. the SSI application and interview with SSA acts as the application and interview for WASHCAP food assistance;
    - ii. twenty-four month food assistance certification periods;
    - iii. recertified by SSA when SSI was re-determined;
    - iv. all changes must be reported to SSA;
    - v. SSA had to notify DSHS of client changes via the State Data Exchange System in an overnight reporting process.

Program administration was easier than the regular food assistance program because of automatic opening and closing features programmed into the ACES system and triggered by the SDX system.

2. **New federal regulations for Food Stamps** were implemented for the treatment of the income and resources of certain ineligible members. For drug-related and fleeing felons, all of the client's income, expenses, and resources to the eligible members of the AU were now to be counted. For ineligible ABAWDs, ineligible aliens, and clients ineligible for not providing their social security numbers, all of the client's resources were also be counted, as well as a prorated share of the client's income and expenses.

#### October 2001

1. **A new standard deduction for households with self-employment income** was implemented in October 2001. These households were now automatically eligible to receive a business expense deduction of \$100. If the household had expenses greater than \$100, they were required to itemize and verify these expenses to receive a deduction equal to their expenses.

#### August 2001

## Appendix 8

### Major Changes in ESA Programs by Month

1. **New federal regulations for Food Stamps** were implemented for the recoupment of overpayments. With this change administrative overpayments would be collected through an automatic allotment reduction equal to the greater of 10% of the allotment or \$10 per month; households not currently receiving food assistance would not have an overpayment established if the claim is less than \$125 unless discovered through federal quality control review; and all overpayments had to be established (or disposed of) no later than the last day of the calendar quarter after the quarter in which the overpayment was discovered.
2. New federal regulations added **flexibility to interview requirements** for all programs. A face-to-face interview would only be required once every 12 months. This face-to-face requirement could be waived if the household applied for medical only or if they met the hardship criteria.
3. New federal regulations for Food Stamps for **the recertification process** were implemented. In the new regulations, households had up to 30 days after their certification period ends to complete the recertification process. Benefits could be prorated in the first month of the new certification period if the household was late in reapplying for benefits.
4. New federal regulations for Food Stamps were implemented that **excluded any vehicle** that had an equity value less than \$1,500.

#### July 2001

1. **The Division of Child Care and Early Learning (DCCEL)** was created in the Economic Services Administration (ESA) in July 2001.

#### March 2001

1. In the settlement of the **Hagen v. DSHS lawsuit**, the department used TANF funds for the costs of providing income assistance to children living with adults who were standing in *loco parentis*. Under Washington state law, children living with adults who stood in *loco parentis* constituted eligible families for the purpose of TANF assistance.

#### October 2000

1. In October 2000, the Economic Services Administration (ESA) began the first set of contracts with **community organizations** providing after-school, evening, and weekend programs for middle school children whose parents were working or in training with the goal of reducing the number of teen parents.

#### August 2000

1. **Categorical eligibility for Food Stamps** was expanded to include households that lost eligibility for TANF due to excess earnings (for 24 months after grant termination) and households that received Diversion Cash Assistance (month of receipt and following 3 months). For these cases, categorical eligibility meant that the household was exempt from the Food Stamp gross income test (130% of Federal Poverty Level) and Food Stamp resource standards.

## Appendix 8

### Major Changes in ESA Programs by Month

2. **Eligibility for Additional Requirements – Emergent Needs** (TANF, SFA and RCA) was restricted to:
  - a. require that family must be eligible for ongoing grant;
  - b. cap benefits at \$1,500; and
  - c. limit eligibility to once every 12 months.

These policy changes were implemented to control AREN program expenditures.

#### July 2000

1. In July 2000 the Department began using TANF funds for **children living with legal guardians** (GA-H program) to comply with proviso in 1999 budget bill. GA-H program was folded into the TANF program and ceased to exist as a separate program.
2. Effective July 14, aliens who were **Permanently Residing (in the USA) Under Color of Law (PRUCOL)** were eligible for the State-funded food assistance program (FAP).

#### June 2000

1. **Employment and training requirements** were increased for Food Stamp recipients who were able-bodied adults without dependents (ABAWD). Enhanced tracking mechanisms were implemented to better monitor each of these clients' job search progress.
2. **Changes in federal law were implemented to ensure asylees** receive refugee cash aid and medical assistance for up to eight months from the date their application for asylum is granted. (Formerly, the eight months of aid were reduced by months of pending asylee status.)

#### May 2000

1. On May 1, 2000 the **Family Medical Project initiative** began to reinstate clients who lost benefits when their cash grant ended, between August 1, 1997 and August 31, 1999. The Centralized Medical Unit in Seattle was operational.
2. **Electronic Funds Transfer (EFT)** was implemented statewide. Clients who had a bank account now had the option of having their monthly cash assistance benefits deposited directly into their account.

#### April 2000

1. **Virtual Integrated Employability Worksheet (VIEW)** was created and implemented. VIEW was a TANF screening and evaluation system for WorkFirst case managers to use to identify and document WorkFirst clients' barriers to employment and to make appropriate referrals for services.

## Appendix 8

### Major Changes in ESA Programs by Month

2. A new medical coverage group, **Family Medical Project**, was promoted in ACES. Individuals who were terminated from TANF cash assistance from 8/1/97 through 8/31/99 and were not authorized medical benefits the month following cash termination were reinstated as of May 1, 2000.

#### March 2000

1. **TANF Early Exit Bonuses** were implemented in March 2000 (bonuses were a once-in-a-lifetime \$1,000 support service payment to employed TANF clients, with low cash grants, who voluntarily exited TANF). The bonus was paid to cover work expenses and allow clients to “bank” months of TANF use for times of greater need.

#### January 2000

1. In January 2000 **TANF intensive services** were implemented statewide.
2. **“Prospective” income budgeting policy** was implemented for cash and food assistance. Eligibility was now to be determined based on anticipated income, rather than income received in past months (“retrospective” budgeting).
3. **SSI/SSA cost of living adjustment (COLA)** increased benefits by 2.4%.
4. **Overpayments occurring due to reconciliation of retrospectively budgeted income** were eliminated.
5. **Upper limit for eligibility for child care subsidies** were changed to 225% of Federal Poverty level (unadjusted) from 175% of Federal Poverty level (adjusted).
6. **Reduction in co-payment formula for families using subsidized child care**, particularly those with income over 135% Federal Poverty Level (unadjusted).

#### November 1999

1. An overall child care eligibility increase to families with gross incomes at or below 225% of the Federal Poverty Level was authorized in November 1999.
2. the Department began phasing in **the intensive services model**, which provided DSHS social worker assessments, collaboratively developed Individual Responsibility Plans (IRP) and bundled services for the harder-to-employ. The model required more frequent use of employability evaluations to determine which participants might benefit from intensive services.
3. **Electronic Benefit Transfer (EBT)** was implemented statewide. Cash and food assistance benefits were now issued using the Quest card.

## Appendix 8

### Major Changes in ESA Programs by Month

#### October 1999

1. **The Limited English Proficiency (LEP) pathway** was implemented statewide (i.e., Phase Two).
2. **The participation report in the JAS management information system** was changed to collect more information about those who are receiving alternative services and redefine what counts as participating in the WorkFirst program.
3. **The Children with Special Needs Initiative statewide** was implemented (i.e., Phase Two).

#### September 1999

1. **The General Assistance Supported Employment Project** added a pilot site at the King Eastside CSO.
2. The Division of Child Support (DCS) was awarded a federal grant to develop **Internet-based lien registry**. State and local government agencies and private businesses would be able to check if a claimant owes a child support debt and can voluntarily notify DCS.

#### August 1999

1. **Deprivation due to absence, incapacity, death, or unemployment of a parent** was eliminated by ESB 5798, effective July 25, 1999. Associated qualifying parent requirements were eliminated.
2. **The 185% of Need Test** was eliminated.
3. **The Striker provision** (a person on strike on the last day of the month was retroactively ineligible to the first of the month and an overpayment established) was eliminated.
4. **The guidelines for support services** were simplified and the upper limit was increased for how much support services a client could receive.
5. **Phase I of the WorkFirst Children with Special Needs Initiative** was implemented (phasing in services for WorkFirst clients raising children with special needs).
6. **Age limits** were expanded for children receiving TANF/SFA/GAH based on school participation.
7. **SFA eligibility** was expanded to pregnant women who are ineligible for TANF due to a conviction for a drug-related felony or misrepresentation of residence.

## Appendix 8

### Major Changes in ESA Programs by Month

8. ESA field staff began an **audit of all TANF cash terminations** to determine if medical benefits should continue. An agreement was reached between MAA and Columbia Legal Services to reinstate medical benefits to individuals who exited TANF from August 1, 1997 through August 31, 1999 and were not authorized medical benefits the month following termination of their cash assistance was terminated. In addition to audits, several enhancements to the Automated Client Eligibility System (ACES) were initiated to ensure clients eligible for continued medical benefits receive them.

#### July 1999

1. **The Washington Telephone Assistance Program (WTAP) client threshold** was reduced from \$7.50 to \$4.00.
2. State law changed **WorkFirst participation exemption criteria** from parents with a child under 12 months of age to parents with a child under three months of age. It established the Pregnancy-to-Employment pathway to meet the parenting and employment needs of parents with infants, who were no longer exempt from WorkFirst participation, and former GA-S participants, who had been moved into the TANF program.
3. **CEAP funds** were transferred to the Department of Community, Trade, and Economic Development (DCTED) as part of a plan to deal with homeless issues and settle the "Homeless Lawsuit." CEAP eligibility was limited to clients who were not eligible for any other cash assistance program.
4. **The cap for Additional Requirements-Emergent Need (AREN) payments** was removed.
5. **The TANF eligibility review cycle** was decreased from twelve to six months in order to transition cases to Prospective Budgeting.
6. **Family Assistance Program (FAP) eligibility** was expanded to non-citizens who are legally admitted into the country in order to escape domestic violence.
7. The **Region 5 SSI Facilitation Project** was completed.
8. **Working Connections Child Care** began requiring criminal background check for exempt providers, i.e., providers that either provided child care for a child in the child's own home or were a close relative of the child.

#### June 1999

1. **Phase One implementation of Children with Special Needs Initiative** began.
2. **Working Connections Automated Program (WCAP) pilot** began.

## Appendix 8

### Major Changes in ESA Programs by Month

3. **Electronic Benefits Transfer (EBT)** began in Region 1.
4. **SSA On-Line Access (SOLQ)** statewide through ACES was implemented.
5. **The Community Jobs Program statewide** was implemented and the earnings disregard was changed from 20% to 50%.

#### May 1999

1. **Face-to-face contact with WorkFirst participants in sanction status** for more than three months was now required.
2. **Region 5 SSI Facilitation Project** started looking at long-term GAU cases and testing ways of shortening the time between GAU approval and the filing of the SSI application.
3. **The first phase of LEP Pathway** contracts became effective.
4. **GA-S clients were folded into the WorkFirst program** and become subject to TANF 60-month time limit and work requirements.
5. **Requirements for post-employment services** in the Washington Administrative Code were established.
6. **Hourly requirements for college work study** were changed from 20 to 16 hours a week for a deferral from job search.
7. New regulations clarified that **mandatory WorkFirst participants** might be required to participate for up to 40 hours a week in working, looking for work or preparing for work in the Washington Administrative Code (WAC).
8. On May 1, 1999 **the Family Medical Project initiative** began to reinstate clients who had lost benefits when their cash grant ended between August 1, 1997 and August 31, 1999. The Centralized Medical Unit in Seattle became operational.

#### April 1999

1. The **General Assistance Supported Employment Project** added pilot sites at the Vancouver and Spokane Southwest CSOs.

## Appendix 8

### Major Changes in ESA Programs by Month

#### March 1999

1. The **Project Access** pilot started in King County. Using a \$36,000 grant from Washington Utilities and Transportation Commission (WUTC), providing community services voice-mail to the homeless and local telephone service in community service sites such as shelters and food distribution centers.
2. The **“Most Wanted” Internet website** began posting photos of selected persons owing child support debt.

#### February 1999

1. The **Re-Employ Washington Workers program** was established, administered by the Employment Security Department. The program offered enhanced job search activities and bonuses for early re-employment to non-TANF, low-income families.

#### January 1999

1. **Washington State Minimum Wage** increased to \$5.70 per hour.
2. **Eligibility for the community jobs program** was changed to pay for actual number of hours worked with a 20% earnings disregard and to screen out fewer clients from the program.
3. **SSI/SSA cost of living adjustment (COLA)** increased benefits by 1.3%.

#### November 1998

1. Based on a change in federal law, **eligibility for federal Food Stamps** to certain minor, elderly, or disabled non-citizens was expanded.

#### October 1998

1. The **Tribal TANF agreement with the Port Gamble S’Klallam Tribe** was finalized.

#### September 1998

1. The **Tribal TANF agreement with the Lower Elwha Klallam Tribe** was finalized.
2. An overall **child care rate increase** was authorized.
3. Special rates for **non-standard hour child care** were established.
4. A \$250 one-time bonus for **licensed child care providers** who agree to provide infant care was authorized.



## Appendix 8

### Major Changes in ESA Programs by Month

#### July 1998

1. The Legislature renewed authorization for **Washington Telephone Assistance Program (WTAP)** for five years (through June 30, 2003).
2. **Fleeing felon disqualification** was applied to General Assistance programs. A person is not eligible for General Assistance benefits for any month in which they are fleeing from the law to avoid going to court or jail for a crime considered a felony or for breaking a condition of probation or parole.

#### April 1998

1. Complete phase-in of the **Integrated Child Care System** began.

#### March 1998

1. **The Washington Telephone Assistance Program (WTAP) client threshold** was reduced from \$9.25 to \$7.00.

#### February 1998

1. Due to a court injunction, **DSHS stopped enforcing the residency requirement** (grant payment to be made at the previous state of residence level for the first twelve months) for non-immigrants.

#### November 1997

1. **Residency requirements went into effect for those applying for WorkFirst.** Payment was to be made at the previous state of residence level for the first twelve months
2. **WorkFirst Individual Responsibility Plan** was implemented.
3. TANF recipients were allowed to establish **"Individual Development Accounts."**
4. **Diversion Cash Assistance (DCA)** became available for TANF-eligible applicants.
5. Under the **Consolidated Assistance Units** rules, non-sibling children living with the same caretaker were to be placed in the same assistance unit.
6. **WorkFirst self-employment** was implemented.
7. Phase-in of four programs into the **Integrated Child Care System** began.

## Appendix 8

### Major Changes in ESA Programs by Month

8. **Quality Assurance TANF data reporting** requirements began.
9. A pilot program was initiated to eliminate the **100-hour rule** for TANF applicants. Rule will be waived on an exception to policy basis for one year to determine fiscal impact.
1. **An adult parent of teen parent's child was ineligible** for TANF if the Department determined that the living situation was inappropriate.
11. **Child care subsidy rates** were set at 59<sup>th</sup> percentile of the 1996 Market Rate Survey.

#### October 1997

1. The **General Assistance Supported Employment Project** began in Region 4. The pilot project at the Belltown CSO was named "Partnership with Adults for Community Enhancement (PACE)." Recipients, sorted by physical impairments or mental disorder, were provided contracted job development and placement services and related work supports.

#### September 1997

1. As of September 1, 1997 **certain legal immigrants were no longer eligible for federal food stamps**. The State implemented the Food Assistance Program for eligible legal immigrants to receive state-funded food stamps. Eligibility and employment & training requirements were the same as for the federal food stamp program.
2. The **General Assistance-Unemployable Pilot (GAP)** project in Region 3 ended.

#### August 1997

1. Changes to the **Temporary Assistance for Needy Families (TANF) program** were made to complete implementation of P. L. 104-193, the *Personal Responsibility and Work Opportunity Reconciliation Act of 1996* (PRWORA), requirements and to begin implementing state welfare reform legislation, the *Washington WorkFirst Temporary Assistance for Needy Families Act* (EHB 3901), signed into law in April. Changes included:
  - a. A five-year time limit for cash assistance;
  - b. Exemption of 50% of gross earned income from consideration when determining benefit level;
  - c. Elimination of establishment of overpayments due to retrospective budgeting;
  - d. Elimination of the 100% needs test;
  - e. Increased allowable equity of \$5,000 for a client's automobile;
  - f. Exemption of client savings accounts of up to \$3,000;
  - g. Pregnant Teen and Teen Parent requirements for education (teen had to be pursuing high school completion or GED) went into effect;
  - h. Diversion Services provided directly or through referral to other agencies as an alternative to WorkFirst Cash Assistance;
  - i. A vehicle used to transport a disabled individual was exempt without regard to value;

## Appendix 8

### Major Changes in ESA Programs by Month

- j. DCS non-cooperation sanction is replaced by 25% grant reduction penalty and determination of DCS non-cooperation to be made by the IV-D agency (under PRWORA, each state must operate a Title IV-D child support program to be eligible for TANF funds);
  - k. The eligibility review cycle was extended from six to twelve months;
  - l. Disqualification for drug-related felony conviction was modified to add an exception for clients who participated in or had completed treatment;
  - m. Temporary disqualification of caretaker relative for failure to make timely report of a child's absence from home;
  - k. Teen parent requirements for appropriate living situation were amended by state law to further restrict eligibility beyond TANF requirements, a living situation was not appropriate if a minor parent was under age 16 and resided with the adult parent of his/her child ("child rape" situations); and
  - l. Certain categories of aliens were denied TANF benefits.
2. The **State-funded cash aid, State Family Assistance (SFA)**, program for legal immigrants was implemented.
  3. **The AREN component of TANF was broadened** so that clients no longer needed an eviction or utility shut-off notice in order to qualify for a payment. Also, the AREN payment was no longer limited to the grant payment standard for the family size. The effect was to allow some clients with income (earned or unearned) that exceeded the grant standard to retain eligibility because of the increase in the need (e.g., the payment standard plus the amount requested for AREN).

#### July 1997

1. The **License suspension program** (for noncustodial delinquent parents) for Child Support Enforcement was implemented.
2. **Quality Assurance** began Phase One implementation of TANF payment accuracy evaluation.
3. The **100-hour rule** was permanently eliminated for TANF recipients.

#### May 1997

1. **Changes to the TANF program** were made to continue implementation of P. L. 104-194 and requirements under existing state law. Changes included:
  - a. Disqualification periods for individuals convicted in state court of unlawful practices (welfare fraud);
  - b. Ten year disqualification for individuals convicted of misrepresenting residence to obtain assistance in two or more states; and
  - c. Lifetime disqualification for individuals convicted of drug-related felonies.

#### April 1997

## Appendix 8

### Major Changes in ESA Programs by Month

1. The **Naturalization Facilitation** for aged, blind or disabled SSI recipients at risk of losing SSI due to non-citizenship began.
2. On April 17, Governor Gary Locke signed into law the ***Washington WorkFirst Temporary Assistance for Needy Families Act (TANF) legislation (EHB-3901)*** which established the **WorkFirst Program**. This program replaced the Aid for Families with Dependent Children (AFDC) program. The STEP Waiver 48 of 60-Month Time Limit was repealed.

#### February 1997

1. As of February 1997, an unmarried minor parent who did not reside in an appropriate living situation, as determined by the DSHS, was ineligible for TANF (implementation of the TANF requirements).

#### January 1997

1. **Temporary Assistance for Needy Families (TANF) replaced the Aid to Families with Dependent Children (AFDC) program** on January 10, 1997 when the TANF State Plan was submitted to the Department of Health and Human Services. The following TANF program changes were implemented in January as a result of the *Personal Responsibility & Work Opportunity Reconciliation Act of 1996* (P. L. 104-193) and existing state law that was no longer superseded by federal law:
  - a. Upon the request of a law enforcement officer, the DSHS would furnish the address of any TANF recipient who was a fugitive felon or probation or parole violator or had information that was necessary for the conduct of the officer's official duties.
  - b. Personal property of great sentimental value was exempt without regard to ceiling value.
  - c. Non-recurring lump sum income in the form of compensatory awards or related settlements that were not used to repair or replace damaged, destroyed or stolen property or to pay medical bills were treated as resources on the first of the month following receipt. Recipients could reduce the value of the award prior to the first of the month as long as the resource was not transferred for less than adequate consideration.

For lump sums that were not compensatory awards or related settlements, that portion of the award equal to the difference between the \$1,000 non-exempt resource ceiling and the client's existing non-exempt resources would be considered exempt. If the remaining balance of the lump sum was:

- i. Less than the payment standard, the amount would be deducted from the recipient's grant.
  - ii. In excess of one month's grant payment less than two month's payment, the recipient's grant would be suspended.
  - iii. In excess of two month's payment, the recipient would be ineligible for two months and must reapply for assistance at the end of the period of ineligibility.
  - d. Fleeing felons were ineligible for TANF. A person was no longer eligible if fleeing from the law to avoid prosecution or imprisonment or violating a condition of probation or parole.
2. **The shelter deduction** was increased from \$247 to \$250.

## Appendix 8

### Major Changes in ESA Programs by Month

3. The following **Food Stamp Program changes** were the result of the Personal Responsibility & Work Opportunity Reconciliation Act of 1996 (P. L. 104-193):
  - a. Children 21 years of age or younger living with a parent had to be included in the food stamp household with the parent.
  - b. Fleeing felons were ineligible for the food stamp program. A person was no longer eligible for the food stamp program when fleeing from the law to avoid going to court or jail for a crime considered a felony and breaking a condition of parole or probation.
  - c. The 20% work expense deduction from earned income was eliminated when a household failed without good cause to report earnings in a timely manner resulting in an over issuance.
  - d. Immigrant eligibility changed so that many non-citizens who previously qualified now did not qualify for food stamps. The following non-citizens were eligible:
    - i. Immigrants residing in the United States who:
      - a. were veterans honorably discharged for reasons other than alienage,
      - b. were active duty personnel of the armed forces,
      - c. were spouses or unmarried dependents of these veterans or active duty personnel, or
      - d. had worked and earned money in 40 qualifying quarters.
    - ii. For five years after obtaining the designated alien status:
      - a. Refugees admitted under section 207 of the Immigration and Nationality Act (INA),
      - b. Asylees admitted under section 208 of the INA, or
      - c. Aliens whose deportation had been withheld under section 243(h) of the INA.
4. **The energy disregard for cash grants** was eliminated. In the past a part of the cash grant was disregarded as energy assistance. This amount was now being counted as income. The grant remained the same, but each cash assistance household would lose between \$25 and \$30 in food stamp benefits.
5. **Food stamp households** that were late reapplying for food stamp benefits (after the certification period expired), would have the food stamp benefits prorated from the date of application.
6. **High school students age 18 and over** would have their earnings counted as income when calculating food stamp benefits.
7. **Food stamp benefits** would not increase when income was decreased because of failure to take an action required by a public assistance program.
8. **New penalties** were required for the Food Stamp Employment and Training Program and for voluntary quit. They were:
  - a. One month for the first time and correct the violation,
  - b. Three months for the second time and correct the violation, and

## Appendix 8

### Major Changes in ESA Programs by Month

- c. Six months for the third time and correct the violation.
9. **Fraud penalties became stiffer.** People who knowingly broke a food stamp rule would be barred from the food stamp program for 12 months for the first offense and 24 months for the second offense.
10. **People found guilty of buying, selling or trading food stamps** for illegal drugs would be barred for two years. People convicted of buying, selling or trading food stamps of \$500 or more would be barred for life.
11. **People found guilty of giving false information** about their identity or where they live to get duplicate benefits would be barred for 10 years.
12. **Able-bodied adults without dependents (ABAWD)** were eligible for food stamp benefits for no more than three months out of a 36 month period unless working or participating in a work program at least twenty hours a week, or participating in a Workfare program.
13. **The definition of a homeless person** was revised to limit homelessness to 90 days while temporarily residing in the home of another.
14. **The homeless shelter standard** was eliminated.
15. **The SSI state supplement payment standards** were increased when the State returned to the “payment level method” for determining the amount of the State supplement. This increase was made done in anticipation of a drop in SSI case load due to 1996 Welfare Reform legislation. However, under *the Balanced Budget Act of 1997*, most recipients would remain on SSI. Therefore, the State changed to the “Total Expenditure Method” for determining the State supplement amount.

#### November 1996

1. Governor Mike Lowry presented Washington’s proposed **Temporary Assistance to Needy Families (TANF) State Plan** for public review and comment.
2. **The ACES On-line Manuals System was implemented statewide.** Policy and Procedural manuals as well as the ACES User Manual were now available electronically to all ACES users.

#### October 1996

1. **The one-year General Assistance-Unemployable (GA-U) pilot (GAP) project** began. The Alderwood, Smokey Point, Sky Valley and Everett CSOs established working agreements with community employment services agencies to test an inter-agency assessment tool and determine the services, time and costs needed to help long-term (recipient for six months or more and not suitable to apply for SSI) GA-U recipients become employable.

## Appendix 8

### Major Changes in ESA Programs by Month

2. **The vehicle resource limit for the food stamp program** was raised from \$4,600 to \$4,650.
3. **The standard deduction was frozen** at \$134.

#### August 1996

1. On August 22, 1996 President Clinton signed the ***Personal Responsibility & Work Opportunity Reconciliation Act of 1996 (PRWORA)*** into law. Title IV of the Social Security Act was re-written to repeal the Aid to Families with Dependent Children (AFDC) program and replace it with the Temporary Assistance for Needy Families (TANF) program. The entitlement to public assistance ended, states received block grants and were given flexibility to design their own assistance programs. A five-year lifetime limit on receipt of public assistance was established along with stringent work participation requirements.

#### July 1996

1. Administration of most cases for persons receiving long term care services was transferred to **Home and Community Services, Aging and Adult Services**. General Assistance-Unemployable WAC was amended to waive the requirement for medical documentation to establish incapacity for these cases.

#### May 1996

1. **The definition of student was expanded** to include an adult student who has parental control of a child 11 years of age or under when neither the child's natural or adoptive nor step-parent nor the adult's spouse resided in the household.
2. **DSHS received waiver approval from Food and Consumer Services** to eliminate the telephone interview for food stamp benefits at the time of the desk review for Aid for Families with Dependent Children (AFDC). A face-to-face interview was to be required every 12 months for the Food Stamp Program.
3. A new description was added to inaccessible resources - resources are inaccessible if when sold, the resources would net the household less than one-half of the applicable resource limit.

#### March 1996

1. ***Contract with America Advancement Act of 1996, P. L. 104-121***, provided for the termination of disability benefits to persons receiving Title II benefits when disability is based on drug addiction or alcoholism. Disability benefits were denied to any person filing for benefits based on drug addiction or alcoholism or whose case was adjudicated on or after March 29, 1996.

#### December 1995

## Appendix 8

### Major Changes in ESA Programs by Month

1. **Washington Administrative Code (WAC) was changed** effective December 1, 1995 to allow AFDC recipient households the option of including or excluding the child of unmarried parents when the child is living with both parents. This change was made in response to the State court of appeals decision in *Sams v. DSHS*.
2. **Unmarried, two-parent AFDC applicants were offered the opportunity to sign paternity affidavits** at the time of financial interview. Those applicants choosing not to complete an affidavit were then to be referred to the Division of Child Support for paternity establishment.
3. **The Food Stamp Standard Deduction** was reduced from \$138 to \$134.
4. The *Garcia* decision from the U. S. Ninth Circuit Court of Appeals was implemented. An intentional program violation disqualification would be implemented the first of the month following the date the person received written notification of the Administrative Disqualification Hearing for both recipients and non-recipients.

#### October 1995

1. **The Food Stamp Program** changed as follows:
  - a. The Thrifty Food Plan amounts and Basis of Issuance tables were increased.
  - b. Gross, net and 165% of Income Standards were increased.
  - c. The standard deduction was increased to \$138.
  - d. The homeless shelter deduction was increased to \$143.
  - e. The maximum shelter deduction was increased to \$247.
  - f. The Standard Utility Allowance increased to \$220.
  - g. The Telephone Standard increased to \$29.
  - h. The vehicle fair market value limit increased to \$4,600.
2. **Cooperation with Quality Control (QC)** was made an eligibility factor for AFDC. AFDC grants must be terminated for families that refuse to cooperate in the Quality Control review process.
3. **Refugees were eligible for extended Refugee Medical Assistance** through the eighth month after entry into the United States, regardless of their Refugee Cash Assistance status.

#### September 1995

1. **Need standards for grant recipients** were raised to reflect annual cost of living adjustment. AFDC grant Payment Standards remain unchanged and are now equal to 43.6% of the Need Standards.

#### August 1995

1. **The Department suspended retrospectively budgeted Food Stamp households** for one month when the household received an extra periodic income. Retrospective budgeting meant budgeting income from a past month to determine benefits for a future month, e.g., earned



## Appendix 8

### Major Changes in ESA Programs by Month

income received in January would be reported to the Department in February and then budgeted against March food stamp benefits.

#### July 1995

1. The department added a **non-heating/non-cooling limited utility allowance**.
2. A mandatory verification for **household composition, shelter, and utility costs** was added.
3. The Washington Administrative Code (WAC) was amended, as required by the Legislature, to require the DSHS to **notify the parent with whom a child last resided** when the child was approved for AFDC while living with a nonparent relative. The parent also must be informed of the availability of Family Reconciliation Services and that they have the right to request their child's address. The Department was obligated to disclose the child's address to the parent provided there were no allegations of child abuse or neglect.
4. **Public Law 103-286 exempted payments made to victims of Nazi persecution** when determining eligibility for and the amount of benefits or services.
5. As a result of the **Confederated Tribes of the Colville Reservation Grand Coulee Dam Settlement Act**, funds paid from a trust fund established through the act were disregarded.
6. **Bank accounts jointly owned by AFDC recipients and SI recipients** could be excluded as a resource for AFDC if the account was considered by Social Security Administration Disability Office (SSADO) in determining SSI eligibility.