

Appendix 8
Major Changes in ESA Programs by Month

Major Changes in ESA Programs by Month, July 1995 – June 2001

March 2001

1. In settlement of the *Hagen v. DSHS* lawsuit, the Department uses TANF funds for the costs of providing income assistance to children living with adults who are standing in *loco parentis*. Under Washington state law, children living with adults who stand in *loco parentis* constitute eligible families for the purpose of TANF assistance.

August 2000

1. Expanded categorical eligibility for Food Stamps to include households that lose eligibility for TANF due to excess earnings (for 24 months after grant termination) and households that receive Diversion Cash Assistance (month of receipt and following 3 months). For these cases, categorical eligibility means that the household is exempt from the Food Stamp gross income test (130% of Federal Poverty Level) and Food Stamp resource standards.
2. Restricted eligibility for Additional Requirements – Emergent Needs (TANF, SFA and RCA) to: (1) require that family must be eligible for ongoing grant; (2) cap benefits at \$1,500; and (3) limit eligibility to once every 12 months. Policy change implemented to control program expenditures.

July 2000

1. Began using TANF funds for children living with legal guardians (GA-H program) to comply with proviso in 1999 budget bill. GA-H program is folded into the TANF program and ceases to exist as a separate program.
2. Effective July 14, aliens who are Permanently Residing (in the USA) Under Color of Law (PRUCOL) are eligible for the state-funded food assistance program (FAP).

June 2000

1. Increased employment and training requirements for Food Stamp recipients who are able-bodied without dependents (ABAWD). Enhanced tracking mechanisms to better monitor each of these clients' job search progress.
2. Implemented changes in federal law that 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, 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 is operational.

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2. Electronic Funds Transfer (EFT) is implemented statewide. Clients who have a bank account now have the option of having their monthly cash assistance benefits deposited directly into their account.

April 2000

1. Virtual Integrated Employability Worksheet (VIEW) is created and implemented. VIEW is 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.
2. A new medical coverage group, Family Medical Project, is 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 are reinstated as of May 1, 2000.

March 2000

1. TANF Early Exit Bonuses implemented (Bonuses are a once-in-a-lifetime \$1,000 support service payment to employed TANF clients, with low cash grants, who voluntarily exit TANF). The bonus is paid to cover work expenses and allow clients to "bank" months of TANF use for times of greater need.

January 2000

1. TANF intensive services implemented statewide.
2. Implemented "prospective" income budgeting policy for cash and food assistance. Eligibility is now determined based on anticipated income, rather than income received in past months ("retrospective" budgeting).
3. SSI/SSA cost of living adjustment (COLA) increases benefits by 2.4%.
4. Overpayments occurring due to reconciliation of retrospectively budgeted income eliminated.

November 1999

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

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October 1999

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

September 1999

1. General Assistance Supported Employment Project adds pilot site at the King Eastside CSO.
2. Division of Child Support (DCS) awarded federal grant to develop Internet-based lien registry. State and local government agencies and private businesses will 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 is eliminated by ESB 5798, effective July 25. Associated qualifying parent requirements are eliminated.
2. The 185% of Need test is eliminated.
3. The Striker provision (a person on strike on the last day of the month is retroactively ineligible to the first of the month and an overpayment established) is eliminated.
4. Simplified the guidelines for support services and increased the upper limit for how much support services a client can receive.
5. Implemented Phase I of the WorkFirst Children with Special Needs Initiative (phasing in services for WorkFirst clients raising children with special needs).
6. Expanded age limits for children receiving TANF/SFA/GAH based on school participation.
7. Expanded SFA eligibility to pregnant women who are ineligible for TANF due to a conviction for a drug-related felony or misrepresentation of residence.
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 8/1/97 through 8/31/99 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.

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July 1999

1. Washington Telephone Assistance Program (WTAP) client threshold is reduced from \$7.50 to \$4.00.
2. State law changes WorkFirst participation exemption criteria from parents with a child under 12 months of age to parents with a child under three months of age. Establishes the Pregnancy-to-Employment pathway to meet the parenting and employment needs of parents with infants, who are no longer exempt from WorkFirst participation, and former GA-S participants, who have been moved into the TANF program.
3. CEAP funds transferred to the Department of Community, Trade, and Economic Development (DCTED). Limited CEAP eligibility to clients who are not eligible for any other cash assistance program. Removed cap for Additional Requirements-Emergent Need (AREN) payments.
4. TANF eligibility review cycle decreased from twelve to six months in order to transition cases to Prospective Budgeting.
5. Expanded Family Assistance Program (FAP) eligibility to non-citizens who are legally admitted into the country in order to escape domestic violence.
6. Region 5 SSI Facilitation Project completed.

June 1999

1. Phase I implementation of Children with Special Needs Initiative.
2. Working Connections Automated Program (WCAP) pilot begins.
3. Electronic Benefits Transfer (EBT) begins in Region 1.
4. Implement SSA on-line Access (SOLQ) statewide through ACES.
5. Implement the Community Jobs Program statewide and change the earnings disregard from 20% to 50%.

May 1999

1. Face-to-face contact with WorkFirst participants in sanction status for more than three months now required.
2. Region 5 SSI Facilitation Project starts, looking at long-term GAU cases and testing ways of shortening the time between GAU approval and the filing of the SSI application.
3. First phase of LEP Pathway contracts become effective.
4. GA-S clients are folded into the WorkFirst program and become subject to TANF 60-month time limit and work requirements.

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5. Established the requirements for post-employment services in the Washington Administrative Code.
6. Changed hourly requirements for college work study (from 20 to 16 hours a week) for a deferral from job search.
7. Clarified that mandatory WorkFirst participants may 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, 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 is operational.

April 1999

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

March 1999

1. 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. "Most Wanted" Internet website began posting photos of selected persons owing child support debt.

February 1999

1. Established the Re-employ Washington Workers program, administered by the Employment Security Department. The program offers 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. Changed eligibility for the community jobs program 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, expanded eligibility for federal Food Stamps to certain minor, elderly, or disabled non-citizens.

October 1998

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1. Finalized the Tribal TANF agreement with the Port Gamble S'Klallam Tribe.

September 1998

1. Finalized the Tribal TANF agreement with the Lower Elwha Klallam Tribe.
2. Authorized an overall child care rate increase.
3. Established special rates for non-standard hour child care.
4. Authorized a \$250 one-time bonus for licensed child care providers who agree to provide infant care.

July 1998

1. Legislature renews authorization for Washington Telephone Assistance Program (WTAP) for five years (through June 30, 2003).
2. Fleeing felon disqualification applied to General Assistance programs. 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.

March 1998

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

February 1998

1. Due to a court injunction, 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 go into effect for those applying for WorkFirst. Payment to be made at the previous state of residence level for the first twelve months
2. WorkFirst Individual Responsibility Plan implemented.
3. TANF recipients are allowed to establish "Individual Development Accounts."
4. Diversion Cash Assistance (DCA) becomes available for TANF-eligible applicants.
5. Under the Consolidated Assistance Units rules, non-sibling children living with the same caretaker will be placed in the same assistance unit.
6. WorkFirst self-employment implemented.

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7. Phase-in of four programs into the Integrated Child Care System begins.
8. Quality Assurance TANF data reporting requirements began.
9. Pilot program initiated to eliminate 100-hour rule for TANF applicants. Rule will be waived on an exception to policy basis for one year to determine fiscal impact.
10. Adult parent of teen parent's child ineligible for TANF if department determines living situation is inappropriate.

October 1997

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

September 1997

1. As of September 1, certain legal immigrants are 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 are the same as for the federal food stamp program.
2. 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 include:
 - 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 must be pursuing high school completion or GED) go 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 disabled individual is exempt without regard to value;
 - 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. Eligibility review cycle extended from six to twelve months;

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- l. Disqualification for drug-related felony conviction modified to add an exception for clients who participate in or have 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 are amended by state law to further restrict eligibility beyond TANF requirements, a living situation is not appropriate if a minor parent is under age 16 and resides with the adult parent of his/her child ("child rape" situations); and
 - l. Certain categories of aliens are denied TANF benefits.
2. State-Funded Cash Aid program for legal immigrants implemented.
3. AREN component of TANF is broadened so that clients no longer need 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. 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. License suspension program (for noncustodial delinquent parents) for Child Support Enforcement implemented.
2. Quality Assurance began Phase I implementation of TANF payment accuracy evaluation.
3. 100-hour rule 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 include:
 - 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

1. 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 replaces the Aid for Families with Dependent Children (AFDC) program. The STEP Waiver 48 of 60-Month Time Limit is repealed.

February 1997

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1. An unmarried minor parent who does not reside in an appropriate living situation, as determined by the DSHS, is 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 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 will furnish the address of any TANF recipient who is a fugitive felon or probation or parole violator or has information that is necessary for the conduct of the officer's official duties.
 - b. Personal property of great sentimental value is exempt without regard to ceiling value.
 - c. Non-recurring lump sum income in the form of compensatory awards or related settlements that are not used to repair or replace damaged, destroyed or stolen property or to pay medical bills are treated as resources on the first of the month following receipt. Recipients may reduce the value of the award prior to the first of the month as long as the resource is not transferred for less than adequate consideration.

For lump sums that are 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 will be considered exempt. If the remaining balance of the lump sum is:

- (1) Less than the payment standard, the amount will be deducted from the recipient's grant.
 - (2) In excess of one month's grant payment less than two month's payment, the recipient's grant will be suspended.
 - (3) In excess of two month's payment, the recipient is ineligible for two months and must reapply for assistance at the end of the period of ineligibility.
- d. Fleeing felons are ineligible for TANF. A person is 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 is increased from \$247 to \$250.
3. The following Food Stamp Program changes are 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 must be included in the food stamp household with the parent.
 - b. Fleeing felons are ineligible for the food stamp program. A person is 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 is eliminated when a household fails 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 do not qualify for food stamps. The following non-citizens are eligible:
 - (1) Immigrants residing in the United States who:

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- (A) Are veterans honorably discharged for reasons other than alienage,
 - (B) Are active duty personnel of the armed forces,
 - (C) Are spouses or unmarried dependents of these veterans or active duty personnel, or
 - (D) Have worked and earned money in 40 qualifying quarters.
- (2) 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 has 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 is now being counted as income. The grant remains the same, but each cash assistance household will lose between \$25 and \$30 in food stamp benefits.
 5. Food stamp households that are late reapplying for food stamp benefits (after the certification period has expired), will have the food stamp benefits prorated from the date of application.
 6. Earnings of high school students age 18 and over will have their earnings counted as income when calculating food stamp benefits.
 7. Food stamp benefits will not increase when income is decreased because of failure to take an action required by a public assistance program.
 8. New penalties are required for the Food Stamp Employment and Training Program and for voluntary quit. They are:
 - a. One month for the first time and correct the violation,
 - b. Three months for the second time and correct the violation, and
 - c. Six months for the third time and correct the violation.
 9. Fraud penalties are stiffer. People who knowingly break a food stamp rule will be barred from the food stamp program for 12 months for the first offense and 24 months for the second offense.
 10. People who are found guilty of buying, selling or trading food stamps for illegal drugs will be barred for two years. People convicted of buying, selling or trading food stamps of \$500 or more are barred for life.
 11. People who are found guilty of giving false information about their identity or where they live to get duplicate benefits will be barred for 10 years.
 12. Able bodied adults with no dependents are 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 is revised to limit homelessness to 90 days while temporarily residing in the home of another.
 14. The homeless shelter standard is eliminated.
 15. The SSI state supplement payment standards were increased when the state returned to

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the “payment level method” for determining the amount of the state supplement. This was 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 will 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 are now available electronically to all ACES users.

October 1996

1. The one-year General Assistance-Unemployable (GA-U) pilot (GAP) project begins. DIA and the Alderwood, Smokey Point, Sky Valley and Everett CSOs establish 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.
2. The vehicle resource limit for the food stamp program is raised from \$4,600 to \$4,650.
3. The standard deduction is 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 is 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 is ended, states receive block grants and are given flexibility to design their own assistance programs. A five-year lifetime limit on receipt of public assistance is established along with stringent work participation requirements.

July 1996

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

May 1996

1. The definition of student is expanded to include an adult student who has parental control of a child eleven years of age or under when neither the child’s natural, adoptive

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or stepparent 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 is required every 12 months for the Food Stamp Program.
3. Added a new description 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, provides for the termination of disability benefits to persons receiving Title II benefits when disability is based on drug addiction or alcoholism. Disability benefits are 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

1. Washington Administrative Code (WAC) is changed effective December 1, 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 are offered the opportunity to sign paternity affidavits at the time of financial interview. Those applicants choosing not to complete an affidavit are then referred to the Division of Child Support for paternity establishment.
3. The Food Stamp Standard Deduction is reduced from \$138 to \$134.
4. Implemented the *Garcia* decision from the U. S. Ninth Circuit Court of Appeals. An intentional program violation disqualification shall be implemented the first of the month following the date the person receives written notification of the Administrative Disqualification Hearing for both recipients and non-recipients.

October 1995

1. The Food Stamp Program changed as follows:
 - a. Thrifty Food Plan amounts and Basis of Issuance tables were increased.
 - b. Gross, net and 165% of Income Standards increased.
 - c. Standard deduction increased to \$138.
 - d. Homeless shelter deduction increased to \$143.
 - e. The maximum shelter deduction increased to \$247.
 - f. 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) is made an eligibility factor for AFDC. AFDC grants must be terminated for families that refuse to cooperate in the Quality Control review process.

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3. Refugees are 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 are 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 suspends retrospectively budgeted Food Stamp households for one month when the household receives an extra periodic income. Retrospective budgeting means budgeting income from a past month to determine benefits for a future month, e.g., earned income received in January is reported to the Department in February and is then budgeted against March food stamp benefits.

July 1995

1. The Department adds a non-heating/non-cooling limited utility allowance.
2. Mandatory verification for household composition, shelter, and utility costs is added.
3. The Washington Administrative Code (WAC) is amended, as required by the Legislature, to require the DSHS to notify the parent with whom a child last resided when the child is approved for AFDC while living with a nonparental relative. The parent is also informed of the availability of Family Reconciliation Services and that they have the right to request their child's address. The Department is obligated to disclose the child's address to the parent provided there are no allegations of child abuse or neglect.
4. Public Law 103-286 exempts 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 are disregarded.
6. Bank accounts jointly owned by AFDC recipients and SSI recipients may be excluded as a resource for AFDC if the account was considered by Social Security Administration Disability Office (SSADO) in determining SSI eligibility.

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