

chapter 26, Laws of 1959 and RCW 74.09.160.

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

Section 1. Section 74.09.160, chapter 26, Laws of 1959 and RCW 74.09.160 are each amended to read as follows:

Each vendor or group who has a contract and is rendering service to eligible persons as defined in this chapter shall submit such charges as agreed upon between the ((division of medical care)) department and the individual or group on a monthly basis and shall present their final charges not more than sixty days after the termination of service. If the final charges are not presented within the sixty day period they shall not be a charge against the state unless previous extension in writing has been given by the ((division of medical care)) department. Said sixty day period may also be extended by regulation, but only if required by applicable federal law or regulation, and to no more than the extension of time so required.

The department is authorized to set up a medical prepayments revolving fund, or funds, to be used solely for the payment of medical care. Deposits into this fund or these funds shall be made from the appropriation for medical care. Such deposits shall be based upon a per capita amount per beneficiary, said amounts to be determined by the department from time to time. The department may set up such fund or funds to cover any one, several, or all items of the medical care costs of one, several, or all public assistance programs as deemed most advantageous by the ((director)) secretary for the best interests of the state: PROVIDED, That in the event such fund, or funds is, or are dissolved, the federal government shall be reimbursed for its proportionate share of contributions into such fund or funds.

Passed the House March 17, 1973.

Passed the Senate April 13, 1973.

Approved by the Governor April 20, 1973.

Filed in Office of Secretary of State April 23, 1973.

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CHAPTER 49  
[House Bill No. 363]  
PUBLIC ASSISTANCE RECIPIENTS--  
INCOME REPORT PERIOD

AN ACT Relating to public assistance; amending section 74.04.300, chapter 26, Laws of 1959 as amended by section 18, chapter 173, Laws of 1969 ex. sess. and RCW 74.04.300; and adding a new section to chapter 74.04 RCW.

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

Section 1. Section 74.04.300, chapter 26, Laws of 1959 as amended by section 18, chapter 173, Laws of 1969 ex. sess. and RCW 74.04.300 are each amended to read as follows:

If a recipient receives public assistance for which he is not eligible, or receives public assistance in an amount greater than that for which he is eligible, the portion of the payment to which he is not entitled shall be a debt due the state: PROVIDED, That if any part of any assistance payment is obtained by a person as a result of a wilfully false statement, or representation, or impersonation, or other fraudulent device, or wilful failure to reveal resources or income, one hundred twenty-five percent of the amount of assistance to which he was not entitled shall be a debt due the state and shall become a lien against the real and personal property of such person from the time of filing by the department with the county auditor of the county in which the person resides or owns property, and such lien claim shall have preference to the claims of all unsecured creditors. It shall be the duty of recipients of public assistance to notify the department within ((thirty)) twenty days of the receipt or possession of all income or resources not previously declared to the department, and any failure to so report shall be prima facie evidence of fraud: PROVIDED FURTHER, That there shall be no liability placed upon recipients for receipt of overpayments of public assistance which result from error on the part of the department and no fault on the part of the recipient in obtaining or retaining the assistance if the recovery thereof would be inequitable as determined by the director or his designee.

Debts due the state pursuant to the provisions of this section, may be recovered by the state by deduction from the subsequent assistance payments to such persons or may be recovered by a civil action instituted by the attorney general.

NEW SECTION. Sec. 2. There is added to chapter 74.04 RCW a new section to read as follows:

The department may establish, by rule and regulation, the availability of a contract of sale of real or personal property as a resource or income as defined in RCW 74.04.005.

Passed the House April 14, 1973.

Passed the Senate April 14, 1973.

Approved by the Governor April 20, 1973.

Filed in Office of Secretary of State April 23, 1973.