

Explanatory note.	71.12.570	Source—1949 c 198 sec. 66; RRS sec. 6953-65. “act” to “chapter” “public” omitted from “public health”.
	71.12.580	Source—1949 c 198 sec. 67; RRS sec. 6953-66.
	71.12.590	Source—1949 c 198 sec. 68; RRS sec. 6953-67. “act” to “chapter”
	71.12.640	Source—1949 c 198 sec. 55; RRS sec. 6953-54. “public” omitted from “public health” “act” to “chapter”

Chapter 71.98 Construction

71.98.010	This section has been added to preserve continuity with the laws which this bill reenacts.
71.98.020	Provides that chapter, etc., headings are not part of the law.
71.98.030	Severability.
71.98.040	Repeals and saving. Except as noted below, the laws set forth in the schedule of repeals were either repealed previously, or are substantially reenacted in this bill. The numbers in parentheses correspond with the like numbered subdivisions of the repealer schedule.
	(3) Section 1671 relates to who may make complaint in habitual drunkard cases. Repealed without reenactment as the subject is covered by 1883 p 32 sec. 1 (section 71.08.040).
	(11) Sections 25 and 40, see notes to 71.12.010.
	(12) Section 5 defines the short title of 1951 c 139. Repealed without reenactment as 1951 c 139 has been divided for reenactment in Titles 71 and 72.
71.98.050	Effective date.

CHAPTER 26.

[H. B. 3.]

PUBLIC ASSISTANCE—TITLE 74 RCW REENACTMENT.

AN ACT relating to public assistance; enacting a public assistance code to be known as Title 74 of the Revised Code of Washington; providing penalties; repealing sections 1 through 11, pages 395 through 397, Laws of 1854; section 19, page 422, Laws of 1854; sections 2680 and 2696 through 2706, Code of 1881; chapter 135, Laws of 1915; chapter 72, Laws of 1921; chapter 8, Laws of 1933; chapter 29, Laws of 1933; chapter 65, Laws of 1933; chapter 102, Laws of 1933; sections 2 through 7, chapter 172, Laws of 1933; chapter 77, Laws of 1935; chapter 106, Laws of 1935; chapter 110, Laws of 1935; chapter 118, Laws of 1935; sections 1 through 29, and 31, chapter 182, Laws of 1935; chapter 111, Laws of 1937; chapter 114, Laws of 1937; chapter 132, Laws of 1937; chapter 156, Laws of 1937; chapter 180, Laws of 1937; chapter 25, Laws of 1939; chapter 75, Laws of 1939; chapter 216, Laws of 1939; chapter 1, Laws of 1941; chapter 128, Laws of 1941; chapter 170, Laws of 1941; chapter 242, Laws of 1941; chapter 159, Laws of 1943; chapter 172, Laws of 1943; chapter 7, Laws of 1945; chapter 80, Laws of 1945; chapter

260, Laws of 1947; chapter 288, Laws of 1947; chapter 289, Laws of 1947; chapter 6, Laws of 1949; chapter 166, Laws of 1949; chapter 10, Laws of 1950, extraordinary session; chapter 1, Laws of 1951; chapter 122, Laws of 1951; chapter 165, Laws of 1951; chapter 176, Laws of 1951; chapter 261, Laws of 1951; sections 2 through 16, and 18, chapter 270, Laws of 1951; chapter 274, Laws of 1951; chapter 5, Laws of 1951, 1st extraordinary session; chapter 17, Laws of 1951, 2nd extraordinary session; chapter 21, Laws of 1951, 2nd extraordinary session; sections 3 through 51, chapter 174, Laws of 1953; chapter 3, Laws of 1953, 1st extraordinary session; chapter 5, Laws of 1953, 1st extraordinary session; chapter 273, Laws of 1955; chapter 366, Laws of 1955; chapter 379, Laws of 1955; chapter 380, Laws of 1955; sections 2 through 4, chapter 187, Laws of 1957; chapter 63, Laws of 1957; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

TITLE 74

PUBLIC ASSISTANCE

Chapter 74.04

GENERAL PROVISIONS—ADMINISTRATION

SECTION 74.04.005 *Definitions.* For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

(1) "Public assistance" or "assistance"—Public aid to persons in need thereof for any cause, including services, assistance grants, disbursing orders, work relief, general assistance and federal-aid assistance.

(2) "Department"—The department of public assistance.

(3) "County office"—The administrative office for one or more counties.

(4) "Director"—The director of the state department of public assistance.

(5) "Federal-aid assistance"—The specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the federal govern-

ment to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons, including old age assistance, aid to dependent children, aid to the permanently and totally disabled persons, aid to the blind, child welfare services and any other programs of public assistance which are authorized by this title for which provision for federal aid may from time to time be made.

(6) "General assistance"—Shall include aid to unemployable persons and unemployed employable persons who are not eligible to receive or are not receiving federal-aid assistance.

(a) Unemployable persons are those persons who by reason of bodily or mental infirmity or other cause are incapacitated from gainful employment.

(b) Unemployed employable persons are those persons who although capable of gainful employment are unemployed.

(7) "Budgetary basis"—A basis taking into consideration an applicant's need and resources, and shall be measured in relation to a basic minimum family budget determined by the department.

(8) "Committee"—The public assistance committee created by this title.

(9) "Direct relief"—Payment by cash or voucher to provide the necessities of life to a person and his dependents, and shall include materials furnished or services rendered for such purposes to such person and dependents in his own home.

(10) "Grant-in-aid"—An allocation of public funds by the state to counties for public assistance purposes.

(11) "Institutional care"—Care provided by counties through hospitals, sanatoria and homes or farms.

(12) "Work relief"—Wages paid by a body politic or corporate to persons who are unemployed, or whose employment is inadequate to provide the

necessities of life to themselves and dependents, out of money specifically appropriated or contributed for that purpose, for the performance of services or labor connected with work undertaken by such body independent of work under contract or for which an annual appropriation is made: *Provided*, That the expenditure of moneys made available for assistance purposes under this title in connection with work relief programs shall be limited to the payment of wages exclusively.

(13) "Applicant"—Any person who has made a request, or on behalf of whom a request has been made, to any county office for assistance.

(14) "Recipient"—Any person receiving assistance or currently approved to receive assistance at any future date and in addition those dependents whose needs are included in the recipient's grant.

(15) "Income"—Net income in cash or kind available to an applicant or recipient, the receipt of which is regular and predictable enough that an applicant or recipient may rely upon it to contribute appreciably toward meeting his needs: *Provided*, That in determining the amount of assistance to which a recipient of aid to the blind is entitled or to which any dependent of such recipient may be entitled under any category of public assistance, the department is hereby authorized to disregard as a resource the first fifty dollars per month of any earned income of such blind recipient who is otherwise eligible for an aid to the blind grant: *Provided further*, That if the federal laws permit, the department is directed to disregard as a resource the first fifty dollars per month of any earned income of any recipient of old age assistance, aid to dependent children, or disability assistance who is otherwise eligible. In formulating rules and regulations pursuant to this chapter the department shall define "earned income" in such a manner as to meet with the approval of the federal security agency.

(16) "Need"—The amount by which the requirements of an individual for himself and the dependent members of his family, as measured by the standards of the department, exceed all income and resources available to such individual in meeting such requirements.

(17) "Resource"—Any asset, tangible or intangible, which can be applied toward meeting an applicant's or recipient's need, either directly or by conversion into money or its equivalent: *Provided*, That an applicant may retain the following described resources and not be ineligible for public assistance because of such resources.

(a) A home, which is defined as real property owned and used by an applicant or recipient as a place of residence, together with a reasonable amount of property surrounding and contiguous thereto. Whenever a recipient shall cease to use such property for residential purposes, either by himself or his dependents, the property shall be considered a resource which can be made available to meet need. If the person or his dependents absent themselves from the home for a consecutive period of ninety days such absence shall raise a presumption of abandonment: *Provided*, That hospitalization of a recipient or absence from the recipient's home for health reasons for a period in excess of ninety days shall not raise such a presumption.

(b) Household furnishings and personal clothing used and useful to the person.

(c) An automobile.

(d) Cash of not to exceed two hundred dollars for a single person or four hundred dollars for a family unit, or marketable securities of such value.

(e) Life insurance having a cash surrender value not in excess of five hundred dollars for a single person or one thousand dollars for a family unit: *Provided*, That this maximum allowance shall be de-

created by the amount of cash held by the person or the family unit under item (d) above.

(f) Other personal property and belongings which are used and useful or which have great sentimental value to the applicant or recipient. Whenever such person ceases to make use of such personal property and belongings, the same shall be considered a resource available to meet need.

(g) If the federal laws permit, the first fifty dollars per month of earned income of any recipient of old age assistance, aid to dependent children, or disability assistance who is otherwise eligible.

The department shall by rule and regulation fix the ceiling value for the individual or family unit for all personal property and belongings as defined in items (c), (d) and (e) of this section. If an applicant for or recipient of public assistance possesses personal property and belongings of a value in excess value, such person shall be ineligible for public assistance: *Provided*, That in the determination of need of applicants for or recipients of general assistance no resources shall be considered as exempt per se, but the department may by rule and regulation adopt standards which will permit the exemption of the home and personal property and belongings from consideration as an available resource when such resources are determined to be necessary to the applicant's or recipient's restoration to independence.

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

SEC. 74.04.011 *Director's Authority—Personnel.*
The director of public assistance shall be the ad-

ministrative head of the department of public assistance and he shall have the power to and shall employ such assistants and personnel as may be necessary for the general administration of the department: *Provided*, That such employment is in accordance with the rules and regulations of the state merit system. The director shall through and by means of his assistants and personnel exercise such powers and perform such duties as may be prescribed by the public assistance laws of this state, unless otherwise directed by the state public assistance committee, which shall not be contrary to the laws of this state.

SEC. 74.04.013 *Transfer of Rights and Functions to Department of Public Assistance.* The department of public assistance shall succeed to the rights and functions of the preexisting department of social security.

SEC. 74.04.015 *Director Responsible Officer to Administer Federal Funds.* The director of public assistance shall be the responsible state officer for the administration of, and the disbursement of all funds which may be received by the state in connection with, old age assistance, aid to dependent children, aid to the blind, services for crippled children, child welfare services, vocational rehabilitation, and all other matters included in the federal social security act approved August 14, 1935, or as the same may be amended, excepting those required to be administered by the department of education or the state board of vocational education and those required to be administered and disbursed in connection with public health services such as communicable disease control, maternal and child health, sanitation, and vital statistics services.

He shall make such reports and render such accounting as may be required by the federal agency having authority in the premises.

SEC. 74.04.017 *Aid to the Blind Program—Personnel.* The personnel in the aid to the blind program shall be chosen on the basis of their experience and qualifications in the field of work among the blind, and to the fullest extent possible shall be residents of this state at the time of their selection. In appointing and employing personnel to carry into effect the provisions of chapter 74.16, the director shall give preference under the merit system to qualified and available blind persons up to fifty per cent of such personnel.

SEC. 74.04.020 *Public Assistance Committee Created.* There is created a state public assistance committee to consist of the governor, the director of budget and a third member to be appointed by the governor, who shall not be a state officer or employee. The members of the committee shall serve without compensation for their services, but the appointive member shall be entitled to expenses actually incurred in the discharge of his duties which expenses shall be paid out of moneys appropriated to the department. The committee shall have control of the administration of this title and exercise such powers and perform such duties as are prescribed herein.

SEC. 74.04.030 *Personnel Administration—Merit System.* The personnel required to carry out the provisions of this title shall be employed under a merit system plan of personnel administration which shall be established on such basis as to conform with the standards of the federal government with regard to personnel administration. The committee shall establish such rules and regulations as may be necessary to carry out the provisions of the merit system plan: *Provided,* That if the department of public assistance is authorized or directed by law or the order of the governor to join with one or more departments, boards, commissions or offices of state

government in establishing a joint or general merit system, rules and regulations shall be adopted by the board, commission, or agency administering such joint or general merit system which board, commission, or agency shall be independent of the departments, boards, commissions, or offices joining in such joint or general merit system: *Provided further*, That as to the department of public assistance such rules and regulations shall conform to the requirements of the federal government with regard to personnel administration.

SEC. 74.04.034 *State Advisory Committee Created*. There is hereby created a state advisory committee which shall serve in an advisory capacity to the director and the department. The committee shall be composed of seven members with the membership to be selected, insofar as possible, on the basis of giving both geographic and occupational representation throughout the state. Members shall be selected on the basis of their known experience or interest in public assistance and its related problems and not more than four members shall be identified with the same major political party. Appointment to the state committee shall be by the governor, by and with the consent of the senate. The members of the committee shall hold office as follows: Two members to serve two years; two members to serve three years; and three members to serve four years. Upon expiration of said original terms subsequent appointments shall be for six years except in the case of a vacancy, in which event appointment shall be only for the remainder of the unexpired term in which the vacancy occurs.

SEC. 74.04.035 *State Advisory Committee—Powers and Duties*. The state advisory committee shall have the following powers and duties:

(1) To serve in an advisory capacity to the director on all matters pertaining to chapters 74.04

through 74.14, except that in the case of the blind the state advisory committee shall have no powers or duties.

(2) To acquaint themselves fully with the operations of the department and periodically recommend such changes to the governor as they deem advisable.

(3) To prepare and publish a mimeographed report of their recommendations. The committee shall prescribe rules for the transaction of its business. The committee shall select a chairman and a secretary. Meetings shall be held quarterly, and special meetings may be called by the director upon seven days' notice to the committee. Each member of the committee shall receive fifteen dollars per diem for each day actually spent in the performance of his duties and his actual necessary traveling and other expenses in going to, attending and returning from meetings of his committee, and his actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested of him by the director and a majority vote of the committee: *Provided*, That no member shall receive in excess of seven hundred dollars in any one year.

No person shall be eligible to hold the office of member of the state advisory committee who holds any public office, whether appointive or elective, with the exception of nonsalaried positions, nor who is an official of any political party, nor who is a candidate for any public office.

SEC. 74.04.040 *Relief Declared Joint Federal, State, and County Function.* The care, support, and relief of needy persons is hereby declared to be a joint federal, state, and county function. County offices are charged with the responsibility, for the administration of public assistance within the respective county or counties or parts thereof as local

offices of the department as prescribed by the rules and regulations of the department.

SEC. 74.04.050 *Department Is Responsible State Agency.* The department shall serve as the single state agency to administer public assistance. The department is hereby empowered and authorized to co-operate in the administration of such federal laws, consistent with the public assistance laws of this state, as may be necessary to qualify for federal funds for:

- (1) Old age assistance;
- (2) Aid to dependent children;
- (3) Aid to the needy blind;
- (4) Child welfare services;
- (5) Aid to permanently and totally disabled;
- (6) Programs of public assistance which are authorized by this title, for which provision for federal aid may from time to time be made.

The state hereby accepts and assents to all the present provisions of the federal law under which grants-in-aid are extended to the state to aid in the support of programs administered by the department, and to such additional legislation as may subsequently be enacted as is not inconsistent with the purposes of this title, authorizing public welfare and assistance activities. The provisions of this title shall be so administered as to conform with federal requirements with respect to eligibility for the receipt of federal grants.

The department shall periodically make application for federal funds and submit such plans, reports and data, as are required by any act of congress as a condition precedent to the receipt of federal matching funds for such assistance. The department shall make and enforce such rules and regulations as shall be necessary to insure compliance with the terms and conditions of such federal aid grants. In the event of noncompliance with any such rules and

regulations, the department shall take over the administration of public assistance programs in any county or counties involved until compliance shall have been effected during which time the department may authorize and approve the expenditure of all public assistance funds within the county.

SEC. 74.04.055 *Cooperation with Federal Government—Construction.* In furtherance of the policy of this state to cooperate with the federal government in the programs included in this title the director shall issue such rules and regulations as may become necessary to entitle this state to participate in federal matching funds unless the same be expressly prohibited by this title. Any section or provision of this title which may be susceptible to more than one construction shall be interpreted in favor of the construction most likely to satisfy federal laws entitling this state to receive federal matching funds for the various programs of public assistance.

SEC. 74.04.060 *Records, Etc., Confidential—Exceptions—Penalty.* For the protection of applicants and recipients, the department and the county offices and their respective officers and employees are prohibited, except as hereinafter provided, from disclosing the contents of any records, files, papers and communications, except for purposes directly connected with the administration of the programs of this title. In any judicial proceeding, except such proceeding as is directly concerned with the administration of these programs, such records, files, papers and communications, and their contents, shall be deemed privileged communications and except for the right of any individual to inquire of the office whether a named individual is a recipient of welfare assistance and such person shall be entitled to an affirmative or negative answer.

The county offices shall maintain monthly at their offices a report showing the names and ad-

dresses of all recipients in the county receiving public assistance under this title, together with the amount paid to each during the preceding month.

The provisions of this section shall not apply to duly designated representatives of approved private welfare agencies, public officials, members of legislative interim committees and advisory committees when performing duties directly connected with the administration of this title, such as regulation and investigation directly connected therewith: *Provided, however,* That any information so obtained by such persons or groups shall be treated with such degree of confidentiality as is required by the federal social security law.

It shall be unlawful, except as provided in this section, for any person, body, association, firm, corporation or other agency to solicit, publish, disclose, receive, make use of, or to authorize, knowingly permit, participate in or acquiesce in the use of any lists or names for commercial or political purposes of any nature. The violation of this section shall be a gross misdemeanor.

SEC. 74.04.070 *County Office — Administrator.* There may be established in each county of the state a county office which shall be administered by an executive officer designated as the county administrator. The county administrator shall be appointed by the director in accordance with the rules and regulations of the state merit system.

SEC. 74.04.080 *Personnel—Administrator's Bond.* The county administrator shall have the power to, and shall, employ such personnel as may be necessary to carry out the provisions of this title, which employment shall be in accordance with the rules and regulations of the state merit system, and in accordance with personnel and administrative standards established by the department. The county administrator before qualifying shall furnish a

surety bond in such amount as may be fixed by the director, but not less than five thousand dollars, conditioned that the administrator will faithfully account for all money and property that may come into his possession or control. The cost of such bond shall be an administrative expense and shall be paid by the department.

SEC. 74.04.120 *Basis of State's Allocation of Federal Aid Funds.* Allocations of state and federal funds shall be made upon the basis of need within the respective counties as disclosed by the quarterly budgets, considered in conjunction with revenues available for the satisfaction of that need: *Provided,* That in preparing his quarterly budget for federal aid assistance, the administrator shall include the aggregate of the individual case load approved by the department to date on the basis of need and the director and the public assistance committee shall approve and allocate an amount sufficient to service the aggregate case load as included in said budget, and in the event any portion of the budgeted case load cannot be serviced with moneys available for the particular category for which an application is made the committee may on the administrator's request authorize the transfer of sufficient general assistance funds to the appropriation for such category to service such case load and secure the benefit of federal matching funds.

SEC. 74.04.141 *County Advisory Committees.* There is hereby established a county advisory committee in a county or in one or more counties. The committee shall consist of not less than five members to be appointed by the county commissioners, one of which shall be a county commissioner. Appointments to such committee shall be on the basis of known interest in public assistance and its related problems. Members shall hold office for two year terms. The county advisory committee shall take

the necessary steps of forming a committee including rules for the transaction of business.

The county advisory committee shall have the following duties:

- (1) To make studies of the public assistance program within the county or counties of their jurisdiction;
- (2) To advise the state director and public assistance committee of the results of the studies;
- (3) To recommend to the state advisory committee necessary studies and surveys to be made on a state-wide basis;
- (4) To call meetings and set the time and number of meetings;
- (5) To prepare the agenda of the meetings;
- (6) Have access to all records of the county office they deem necessary, in compliance with the present act and/or the federal social security laws.

The county administrator shall cooperate with this committee in their activities.

Sec. 74.04.150 State Levy for Public Assistance. The state shall levy annually a tax not to exceed two mills upon the assessed valuation of all taxable property within the state for public assistance purposes.

Sec. 74.04.180 Joint County Administration. Public assistance may be administered through a single administrator and a single administrative office for one or more counties. There may be a local office for the transaction of official business maintained in each county.

Sec. 74.04.200 State-Wide Standards to Be Enforced. It shall be the duty of the department of public assistance to establish uniform state-wide standards to govern the granting of assistance in the several categories of this title and it shall have power to compel compliance with such uniform

standards as a condition to the receipt of state and federal funds by counties for social security purposes.

SEC. 74.04.210 *Basis of Allocation of Moneys.* The moneys appropriated for public assistance purposes and subject to allocation as in this title provided shall be allocated to counties on the basis of past experience and established case load history.

SEC. 74.04.250 *General Assistance—Immediate Grants—Penalty.* An applicant for any category of public assistance under this title may, in the discretion of the administrator, be granted general assistance at once upon making application therefor provided he submits to the administrator a sworn statement of need and resources; but if upon due investigation and inquiry on the part of the administrator it shall develop that such applicant swore falsely, he may be proceeded against criminally and if convicted be punished as for a gross misdemeanor. The county, through its prosecuting attorney, may also in such cases institute and prosecute an action to recover any moneys wrongfully received by the applicant by means of his false statement.

SEC. 74.04.265 *Earnings—Deduction from Grants.* In the event federal laws are changed to so permit, the director shall issue such rules and regulations consistent therewith and with memorials of the legislature, as will recognize the earnings of any persons which commence or are increased after a grant is made to such person without the deduction in full thereof from the amount of their grants. This may be done by exempting a percentage of earnings or increase of earnings subsequent to the making of a grant by the recipients of other classes of relief or by exempting such amount of earnings as the federal laws may require or permit. Such percentage exemption, if possible, shall be made on a sliding scale.

SEC. 74.04.270 *Audit of Accounts—Uniform Accounting System.* It shall be the duty of the state auditor to audit the accounts, books and records of the department of public assistance. The public assistance committee shall establish and install a uniform accounting system for all categories of public assistance, applicable to all officers, boards, commissions, departments or other agencies having to do with the allowance and disbursement of public funds for assistance purposes, which said uniform accounting system shall conform to the accounting methods required by the federal government in respect to the administration of federal funds for assistance purposes.

SEC. 74.04.280 *Assistance Nontransferable and Exempt from Process.* Assistance given under this title shall not be transferable or assignable at law or in equity and none of the moneys received by recipients under this title shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

SEC. 74.04.290 *Power to Subpoena Witnesses, Books, Records, Etc.* In carrying out any of the provisions of this title, the committee, the director, the board of county commissioners and the administrator shall have power to subpoena witnesses, administer oaths, take testimony and compel the production of such papers, books, records and documents as they may deem relevant to the performance of their duties; but no officer or agency mentioned in this section shall have power to compel the production of any papers, books, records or documents which are in the custody of any other such officer or agency and within his or its power to provide voluntarily on request.

SEC. 74.04.300 *Recovery of Payments Improperly Received.* 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, the total assistance payment so obtained 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 clerk and 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 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.

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: *Provided*, That if the portion of any public assistance payment to which the recipient is not entitled is less than ten dollars and is erroneously paid to the recipient as a result of departmental error or oversight, such amount shall not be recovered by the state by deduction from subsequent assistance payments to such persons.

SEC. 74.04.310 Authority to Accept Contributions. In furthering the purposes of this title, the director or any county administrator may accept contributions or gifts in cash or otherwise from persons, associations or corporations, such contributions to be disbursed in the same manner as moneys appropri-

ated for the purposes of this title: *Provided*, That the donor of such gifts may stipulate the manner in which such gifts shall be expended.

SEC. 74.04.330 *Annual Reports by Assistance Organizations—Penalty.* Every person, firm, corporation, association or organization receiving twenty-five percent or more of its income from contributions, gifts, dues, or other payments from persons receiving direct relief, work relief, home relief, old age assistance, federal-aid assistance, or any other form of public assistance from the state of Washington or any agency or subdivision thereof, and engaged in political or other activities in behalf of such persons receiving such public assistance, shall, within ninety days after the close of each calendar year, make a report to the director of the department of public assistance for the preceding year, which report shall contain:

(1) A statement of the total amount of contributions, gifts, dues, or other payments received;

(2) The names of any and all persons, firms, corporations, associations or organizations contributing the sum of twenty-five dollars or more during such year, and the amounts contributed by such persons, firms, corporations, associations, or organizations;

(3) A full and complete statement of all disbursements made during such year, including the names of all persons, firms, corporations, associations, or organizations to whom any moneys were paid, and the amounts and purposes of such payments; and

(4) Every such report so filed shall constitute a public record;

(5) Any person, firm, or corporation, and any officer or agent of any firm, corporation, association or organization, violating this section by failing to file such report, or in any other manner, shall be guilty of a gross misdemeanor.

SEC. 74.04.340 *Federal Surplus Commodities—Certification of Persons Eligible to Receive Commodities.* The state department of public assistance is authorized to assist needy families and individuals to obtain federal surplus commodities for their use, by certifying, when such is the case, that they are eligible to receive such commodities. However, only those who are receiving or are eligible for public assistance or care and such others as may qualify in accordance with federal requirements and standards shall be certified as eligible to receive such commodities.

SEC. 74.04.350 ————*Not to Be Construed As Public Assistance, Eligibility Not Affected.* Federal surplus commodities shall not be deemed or construed to be public assistance and care or a substitute, in whole or in part, therefor; and the receipt of such commodities by eligible families and individuals shall not subject them, their legally responsible relatives, their property or their estates to any demand, claim or liability on account thereof. A person's need or eligibility for public assistance or care shall not be affected by his receipt of federal surplus commodities.

SEC. 74.04.360 ————*Certification Deemed Administrative Expense of Department.* Expenditures made by the state department of public assistance for the purpose of certifying eligibility of needy families and individuals for federal surplus commodities shall be deemed to be expenditures for the administration of public assistance and care.

Chapter 74.08

ELIGIBILITY GENERALLY—STANDARDS OF ASSISTANCE—OLD AGE ASSISTANCE

SEC. 74.08.025 *Eligibility for Public Assistance Generally.* Public assistance shall be awarded to any applicant:

- (1) Who is in need; and
- (2) Who has not made a voluntary assignment of property or cash for the purpose of qualifying for an assistance grant; and
- (3) Who is not an inmate of a public institution except as a patient in a medical institution and who is not a patient in an institution for mental disease or a patient in a medical institution because of a diagnosis of psychosis: *Provided*, That the assistance paid by the department to recipients in nursing homes, or receiving nursing home care, may cover the cost of clothing and incidentals and general maintenance exclusive of medical care and health services. The department may pay a grant to cover the cost of clothing and personal incidentals in public or private medical institutions.

SEC. 74.08.030 *Old Age Assistance Eligibility Requirements.* In addition to meeting the eligibility requirements of section 74.08.025, an applicant for old age assistance must be an applicant who:

- (1) Has attained the age of sixty-five, and
- (2) Has resided within the state of Washington for at least five years during the nine years immediately preceding the application and has resided herein continuously for one year immediately preceding the application.

SEC. 74.08.040 *Amount of Grant—Standards of Assistance.* Grants shall be awarded on a uniform state-wide basis in accordance with standards of assistance established by the department. The department shall establish standards of assistance for old age assistance, aid to dependent children, aid to the blind, and general assistance to unemployable persons which shall be used to determine an applicant's or recipient's living requirements and which shall include reasonable allowances for shelter, fuel, food, clothing, household maintenance and operation, personal maintenance, and necessary incident-

als. The total dollar value of the assistance budget shall, under average conditions, be not less than seventy-five dollars per month for an individual living alone; but a recipient shall not receive a grant of seventy-five dollars or more unless his actual requirements amount to seventy-five dollars. Grants shall be paid in the amount of requirements less all available income and resources which can be applied by the recipient toward meeting need, including shelter.

In order to determine such standards of assistance the department shall establish objective budgetary guides based upon actual living cost studies of the items of the budget. Such living cost studies shall be renewed or revised annually and new standards of assistance reflecting current living costs shall determine budgets of need. Any indicated adjustment in standards shall become effective not later than June 1st of 1953 and June 1st of each succeeding year.

The standards of assistance shall take into account the economy of joint living arrangements, and the department may, by rule and regulation, prescribe maximums for grants.

For general assistance to unemployed employable persons, the department shall establish standards of assistance based upon annual living cost studies and compatible with a minimum necessary for decent and healthful subsistence. Such standards shall permit the meeting of actual and emergent need on an individual basis.

SEC. 74.08.050 *Applications for Grants.* Application for a grant in any category of public assistance shall be made to the county office by the applicant or by another on his behalf, and shall be reduced to writing upon standard forms prescribed by the department, and a copy of the application upon such

standard form shall be given to each applicant at the time of making application.

SEC. 74.08.055 *Verification of Applications—Penalty.* Each applicant for or recipient of public assistance shall make an application for assistance which shall contain or be verified by a written declaration that it is made under the penalties of perjury. The director, by rule and regulation, may require that any other forms filled out by applicants or recipients of public assistance shall contain or be verified by a written declaration that it is made under the penalties of perjury and such declaration shall be in lieu of any oath otherwise required, and each applicant shall be so informed at the time of the signing.

Any applicant for or recipient of public assistance who wilfully makes and subscribes any application, statement or other paper which contains or is verified by a written declaration that it is made under the penalties of perjury and which he does not believe to be true and correct as to every material matter shall be guilty of a felony.

SEC. 74.08.060 *Approval or Denial of Application—Applications Prior to Eligibility.* Whenever the department or an authorized agency thereof receives an application for a grant an investigation and record shall be promptly made of the facts supporting the application. The department shall be required to approve or deny the application within forty-five days after the filing thereof and shall immediately notify the applicant in writing of its decision: *Provided*, That if the department is not able within forty-five days, despite due diligence, to secure all information necessary to establish his eligibility, the department is charged to continue to secure such information and if such information, when established, makes applicant eligible, the department shall pay his grant from date of authorization, or

forty-five days after date of application whichever is sooner.

Any person entitled to relief but under temporary disability from making application, or any person about to become sixty-five years of age or the parent of an unborn child who upon birth will become a dependent child may at any time after forty-five days prior to the occurrence of any of said events make application as herein provided.

SEC. 74.08.070 *Fair Hearing on Grievances—Procedure.* Any applicant or recipient feeling himself aggrieved by the decision of the department or any authorized agency of the department shall have the right to a fair hearing to be conducted by the director of the department or by a duly appointed, qualified and acting supervisor thereof, or by an examiner especially appointed by the director for such purpose. The hearing shall be conducted in the county in which the appellant resides, and a transcript of the testimony shall be made and included in the record, the costs of which shall be borne by the department. A copy of this transcript shall be given the appellant if request for same is made in writing by the appellant or his attorney of record.

Any appellant who desires a fair hearing shall within sixty days after receiving notice of the decision of the department or an authorized agency of the department, file with the director a notice of appeal from the decision. It shall be the duty of the department upon receipt of such notice to set a date for the fair hearing, such date to be not more than thirty days after receipt of notice. The department shall notify the appellant of the time and place of said hearing at least five days prior to the date thereof by registered mail or by personal service upon said appellant, unless otherwise agreed by appellant and the department.

At any time after the filing of the notice of appeal

with the director, any appellant or attorney for appellant with written authorization or next of kin shall have the right of access to, and can examine any files and records of the department in the case on appeal.

It shall be the duty of the department within thirty days after the date of hearing to notify the appellant of the decision of the director and the failure to so notify the appellant shall constitute an affirmation of the decision of the department.

SEC. 74.08.080 *Court Appeal*. In the event an appellant feels himself aggrieved by the decision rendered in the hearing provided for in section 74.08-.070, he shall have the right to appeal to the superior court of the county of his legal residence, which appeal shall be taken by a notice filed with the clerk of the court and served upon the director either by registered mail or by personal service within sixty days after the decision of the department has been affirmed or modified as provided in section 74.08.070. Upon receipt of the notice of appeal, the clerk of the superior court shall immediately docket the case for trial and no filing fee shall be collected of the appellant.

Within ten days after being served with a notice of appeal, the director shall give the appellant a copy of the transcript of testimony adduced at the fair hearing and shall file with the clerk of the court the record of the case on appeal, and no further pleadings shall be necessary to bring the appeal to issue.

The court shall decide the case on the record.

The findings of the director as to the facts shall be conclusive unless the court determines that the evidence in the record preponderates against such findings.

The court may affirm the decision of the director or modify or reverse any decision of the director where it finds the director has acted arbitrarily,

capriciously, or contrary to law and remand the cause to the director for further proceedings in conformity with the decision of the court. Either party may appeal from the decision of the superior court to the supreme court of the state, which appeal shall be taken and conducted in the manner provided by law or by the rules of court applicable to civil appeals: *Provided*, That no bond shall be required on any appeal under this chapter. In the event that either the superior court or the supreme court renders a decision in favor of the appellant, said appellant shall be entitled to reasonable attorney's fees and costs. If a decision of the director or of the court is made in favor of the appellant, assistance shall be paid from date of the denial of the application, or in the case of a recipient, from the effective date of the decision from which he has appealed.

SEC. 74.08.090 *Rules and Regulations.* The department is hereby authorized to make rules and regulations not inconsistent with the provisions of this title to the end that this title shall be administered uniformly throughout the state, and that the spirit and purpose of this title may be complied with. The department shall have the power to compel compliance with the rules and regulations established by it. Such rules and regulations shall be filed with the secretary of state thirty days before their effective date, and copies shall be available for public inspection in the office of the department and in each county office.

SEC. 74.08.100 *Age and Length of Residence Verification.* Proof of age and length of residence in the state of any applicant may be established as provided by the rules and regulations of the department: *Provided*, That if an applicant is unable to establish proof of age or length of residence in the state by any other method he may make a statement under oath of his age on the date of application or

the length of his residence in the state, before any judge of the superior court or any justice of the supreme court of the state of Washington, and such statement shall constitute sufficient proof of age of applicant or of length of residence in the state: *Provided however*, That any applicant who wilfully makes a false statement as to his age or length of residence in the state under oath before a judge of the superior court or a justice of the supreme court, as provided above, shall be guilty of a felony.

SEC. 74.08.105 *Out-of-State Recipients*. No assistance payments shall be made to recipients living outside the state of Washington unless in the discretion of the director there is sound social reason for such out-of-state payments: *Provided*, That the period for making such payments when authorized shall not exceed the length of time required to satisfy the residence requirements in the other state in order to be eligible for a grant in the same category of assistance as the recipient was eligible to receive in Washington.

SEC. 74.08.112 *Old Age Assistance Grants Not Recoverable as Debt Due State—Exceptions*. Old age assistance grants awarded to an applicant under the laws of the state of Washington shall not be recoverable as a debt due the state, except where such funds have been received by the applicant contrary to law, or by fraud or deceit. Any and all claims accrued under the provisions of section 36, chapter 174, Laws of 1953 and RCW 74.08.111 are hereby renounced and declared to be null and void, except those claims which have accrued or which shall accrue on the basis of grants which have been received contrary to law, or by fraud or deceit.

SEC. 74.08.120 *Funeral Expenses*. The term "funeral" shall mean the proper preparation and care of the remains of a deceased person with needed facilities and appropriate memorial services, includ-

ing necessary costs of a lot or cremation and all services related to interment and the customary memorial marking of a grave.

The department is hereby directed through the county offices to assume responsibility for the funeral of deceased persons dying without assets sufficient to pay for the minimum standard funeral herein provided.

The department shall not pay more than cost for a minimum standard service rendered by each vendor. Payments to the funeral director and to the cemetery or crematorium will be made by separate vouchers. The standard of such services and the uniform amounts to be paid shall be determined by the department after giving due consideration to such advice and counsel as it shall obtain from the trade associations of the various vendors and related state departments, agencies and commissions. The payments made by the department shall not be subject to supplementation by the relatives or friends of recipients. Whenever relatives or friends provide for other than the minimum standard service authorized, the state shall not participate in the payment of any part of the cost.

SEC. 74.08.210 Grants Not Assignable Nor Subject to Execution. Grants awarded under this title shall not be transferable or assignable, at law or in equity, and none of the money paid or payable under this title shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of bankruptcy or insolvency law.

SEC. 74.08.260 Federal Act to Control in Event of Conflict. If any plan of administration of this title submitted to the federal security agency shall be found to be not in conformity with the federal social security act by reason of any conflict of any section, portion, clause or part of this title and the federal social security act, such conflicting section, portion,

clause or part of this title is hereby declared to be inoperative to the extent that it is so in conflict, and such finding or determination shall not affect the remainder of this title.

SEC. 74.08.270 *Legislature to Appropriate Funds—Old Age Appropriations to Be Earmarked.* The legislature shall appropriate such funds as are necessary to carry out the purposes of this chapter: *Provided*, That any appropriation which the legislature may make for the payment of old age assistance grants shall be specifically earmarked for such purposes.

SEC. 74.08.278 *Central Operating Fund Established.* In order to comply with federal statutes and regulations pertaining to federal matching funds and to provide for the prompt payment of initial grants and adjusting payments of grants the director is authorized to make provisions for the cash payment of assistance by the director or county administrators by the establishment of a central operating fund. The director may establish such a fund with the approval of the state auditor from moneys appropriated to the department for the payment of general assistance in a sum not to exceed one million dollars. Such funds shall be deposited as agreed upon by the director and the state auditor in accordance with the laws regulating the deposits of public funds. Such security shall be required of the depository in connection with the fund as the state treasurer may prescribe. Moneys remaining in the fund shall be returned to the general fund at the end of the biennium, or an accounting of proper expenditures from the fund shall be made to the state auditor. All expenditures from such central operating fund shall be reimbursed out of and charged to the proper program appropriated by the use of such forms and vouchers as are approved by the director of the department and the state auditor. Expendi-

tures from such fund shall be audited by the director of the budget and the state auditor from time to time and a report shall be made by the state auditor and the director as are required by law.

SEC. 74.08.280 *Payments to Persons Incapable of Self-Care.* If any person receiving public assistance is, on the testimony of reputable witnesses, found incapable of taking care of himself or his money, the director may direct the payment of the installments of public assistance to any responsible person or corporation or to a legally appointed guardian for his benefit: *Provided,* That if the state requires the appointment of a guardian for this purpose the department shall pay all costs and reasonable fees as fixed by the court.

SEC. 74.08.283 *Services Provided to Attain Self-Care—Old Oge Applicants and Recipients.* The department is authorized to provide such social and related services as are reasonably necessary to the end that applicants for or recipients of old age assistance are helped to attain self-care.

SEC. 74.08.290 *Suspension of Payments.* The department is hereby authorized to suspend temporarily the public assistance granted to any person for any period during which such person is not in need thereof.

If a recipient is convicted of any crime or offense, and punished by imprisonment, no payment shall be made during the period of imprisonment.

SEC. 74.08.295 *Assistance from More Than One Federal Aid Category Prohibited—Exception.* No person shall be eligible to concurrently receive assistance from more than one category of federal aid assistance to meet his own needs. This shall not be construed to prevent a recipient from receiving concurrently as grantee-relative assistance granted in

behalf of legal dependents if his needs are not covered by assistance given to such dependents.

SEC. 74.08.330 *Fraud—Assistance Procurement—Real Property Disposal—Penalty.* (1) Any person who by means of a wilfully false statement or representation, or by impersonation, or other fraudulent device, or failure to reveal resources as required by law, obtains, or attempts to obtain, or aids or abets any person to obtain any public assistance to which he is not entitled or greater public assistance than that to which he is justly entitled shall be guilty of larceny.

(2) Any person who by means of a wilfully false statement or representation or by impersonation or other fraudulent device aids or abets in buying, selling, or in any other way disposing of the real property of a recipient of public assistance without the consent of the director shall be guilty of a gross misdemeanor.

SEC. 74.08.335. *Transfers of Property to Qualify for Assistance.* Public assistance shall not be granted under this title to any person who has made an assignment or transfer of property for the purpose of rendering himself eligible for assistance under this title. Any person who shall have transferred or shall transfer any real or personal property or any interest in property within two years of the date of application for public assistance without receiving adequate monetary consideration therefor, or any person who after becoming a recipient transfers any property or any interest in property without the consent of the director, shall be ineligible for public assistance for a period of time during which the reasonable value of the property so transferred would have been adequate to meet his needs under normal conditions of living: *Provided,* That the director is hereby authorized to allow exceptions in

cases where undue hardship would result from a denial of assistance.

SEC. 74.08.338 *Real Property Transfers for Inadequate Consideration—Recovery of Assistance Payments.* When the consideration for a deed executed and delivered by a recipient is not paid, or when the consideration does not approximate the fair cash market value of the property, such deed shall be prima facie fraudulent as to the state. The attorney general upon request of the director shall file suit to rescind such transaction except as to subsequent bona fide purchasers for value. In the event that it be established by judicial proceedings that a fraudulent conveyance occurred, the value of any public assistance which may have been furnished may be recovered in any proceeding from the recipient or his estate.

SEC. 74.08.340 *No Vested Rights Conferred.* All assistance granted under this title shall be deemed to be granted and to be held subject to the provisions of any amending or repealing act that may hereafter be enacted, and no recipient shall have any claim for compensation, or otherwise, by reason of his assistance being affected in any way by such amending or repealing act.

SEC. 74.08.370 *Old-Age Assistance Grants Charged Against General Fund.* All old-age assistance grants under this title shall be a charge against and payable out of the general fund of the state. Payment thereof shall be by warrant of the state auditor to be drawn upon vouchers duly prepared and verified by the director of public assistance.

SEC. 74.08.375 *Deposit of Federal Aid for Old-Age Assistance Moneys.* Any moneys which may be received by the state of Washington from the federal government as aid in defraying the cost of old-age assistance under this title shall be deposited in the

state treasury to the credit of the general fund but separate accounts shall be kept in order that the state may make such reports and render such accounting as may be required by the appropriate federal authority.

SEC. 74.08.380 *Acceptance of Federal Act.* The state hereby accepts the provisions of that certain act of the congress of the United States entitled, An Act to provide for the general welfare by establishing a system of federal old-age benefits, and by enabling the several states to make more adequate provisions for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment compensation laws; to establish a social security board; to raise revenue; and for other purposes, and such other act with like or similar objects as may be enacted.

Chapter 74.09

MEDICAL CARE

SEC. 74.09.010 *Definitions.* As used in this chapter:

(1) "Department" means the department of public assistance.

(2) "Director" means the director of the department of public assistance.

(3) "Division" or "division of medical care" means the division of medical care of the department of public assistance.

(4) "Assistant director" means the supervisor of the division of medical care of the department of public assistance.

(5) "Internal management" means the administration of medical and related services to recipients of public assistance and medical indigent persons.

(6) "Medical indigents" are persons without in-

come or resources sufficient to secure necessary medical services.

(7) "Chapter" means chapter 74.09.

(8) "Nursing home" means nursing home as defined in RCW 18.51.010.

SEC. 74.09.020 *Declaration of Purpose.* The purpose of this chapter is to provide for more efficient administration of medical, dental and allied services to recipients of public assistance and medical indigent persons.

SEC. 74.09.030 *Responsibility of Division of Medical Care—Transfer of Records.* Administrative responsibility for providing for needed medical, dental and allied services to recipients of public assistance and medical indigents shall be the responsibility of the division of medical care.

SEC. 74.09.040 *Division of Medical Care Established—Qualifications of Assistant Director.* There is hereby established in the department of public assistance a division of medical care. The division of medical care shall be administered by an assistant director appointed by the director of the department in accordance with the state merit system or its successor. The assistant director may be a physician and shall be selected on the basis of his knowledge and understanding of administration and shall have demonstrated his ability therein.

SEC. 74.09.050 *Assistant Director's Responsibilities and Duties — Personnel — Medical Screeners.* The assistant director shall be directly responsible to the director and shall have charge and supervision of the division of medical care. With the approval of the director, he shall appoint such professional personnel and other assistants and employees, including professional medical screeners, as may be reasonably necessary to carry out the provisions of this chapter. The medical screeners shall be supervised by one

or more physicians who shall be appointed by the assistant director.

SEC. 74.09.060 *Rules and Regulations—Internal Organization of Division.* The assistant director in the exercise of his administrative responsibilities shall:

(1) Prepare and submit to the director rules, regulations and procedures for the exercise and performance of the administrative powers and duties vested in or imposed upon him, not inconsistent with the law.

(2) Determine, and from time to time alter when necessary, the internal organization of the division to promote maximum efficiency and economy.

SEC. 74.09.070 *Eligibility of Public Assistance Recipients and Medical Indigents.* The determination of eligibility of recipients for public assistance shall be the responsibility of the department.

Recipients of public assistance shall be entitled to such medical services as are defined by the assistant director, who shall consider the recommendations thereon of the welfare medical care committee.

The determination of eligibility of medical indigents shall be the responsibility of the division of medical care with consideration to the standards recommended by the welfare medical care committee. The division of medical care is empowered to employ the necessary personnel to carry out the standards established.

SEC. 74.09.080 *Methods of Performing Administrative Responsibilities.* In carrying out the administrative responsibility of this chapter, the division of medical care may contract with an individual or a group, may utilize existing local state public assistance offices, or establish separate welfare medical care offices on a county or multi-county unit basis as found necessary.

SEC. 74.09.090 *Use of County Institutions, Budgets—Charges to Noncovered Patients—Duties of Division.* (1) The division of medical care may utilize county hospitals and county infirmaries as determined necessary. County institutions so used shall submit a county hospitalization budget and/or infirmary budget to the director not less than forty days prior to the time county budgets are finally approved and adopted by the county commissioners. He shall consider the proposed budget or budgets and return it or them to the commissioners with his recommendations within thirty days of its receipt by him. The commissioners shall be empowered to adopt as the final budget the proposed budget or budgets as submitted by the board or boards of trustees, recommended budget or budgets of the director or such budget or budgets as the county commissioners themselves determine to adopt: *Provided*, That if the total of the budget or budgets as finally adopted shall be in excess of the total of the budget or budgets as recommended by the director, the said director may withhold from the county the amount of the excess over and above the total set forth in his recommended budget or budgets.

Any county infirmary so used shall comply with all rules and regulations of the Washington state department of health applicable to nursing homes adopted by the said department under authority of chapter 18.51.

County hospitals and county infirmaries financed by state funds shall be empowered to accept and care for eligible patients from any county in the state.

(2) Persons other than recipients or medical indigents who require hospital care for communicable disease, whether under quarantine or not, and persons sufficiently mentally disturbed or ill to be placed in a county hospital for observation, diagnosis

and/or treatment shall be required to pay for such hospital and medical care at the same rate as charged by nongovernmental hospitals and/or private physicians in the county where the hospital is located.

(3) Persons other than recipients or medical indigents who receive emergency medical or hospital care at a county hospital shall pay for such medical and/or hospital services or care at the same rate as charged by nongovernmental hospitals and private physicians in the county where the hospital is located.

(4) The division of medical care shall provide for necessary physicians' services and hospital care, considering the recommendations of the welfare medical care committee, and may provide such allied service as dental service, nursing home care, ambulance services, drugs, medical supplies, nursing services in the home, and other appliances, considering recommendations of the welfare medical care committee, who shall take into consideration the appropriations available.

(5) The division of medical care shall provide (a) for evaluation of employability when a person is applying for public assistance representing a medical condition as the basis for need, and (b) for medical reports to be used in the evaluation of total and permanent disability. It shall further provide for medical consultation and assistance in determining the need for special diets, housekeeper and attendants' services, and other requirements as found necessary because of the medical condition under rules promulgated by the director after considering the recommendation thereon of the welfare medical care committee.

SEC. 74.09.100 *State Welfare Medical Care Committee.* There is hereby established a state welfare medical care committee composed of twelve members, six members representing the major providers

of medical service, one a legislator, one a county commissioner, and the remaining four from the public. Members shall be appointed by the governor and serve at his pleasure and they shall be entitled to actual and necessary travel expenses, together with actual and necessary subsistence expenses not to exceed ten dollars per day, while carrying out the functions of this committee.

The committee shall advise and give assistance to the director and assistant director in planning and carrying out the most efficient and economical welfare medical care program. It shall assist the director and assistant director in preparing and presenting the biennial appropriation request to the governor and the legislature.

SEC. 74.09.110 *Administrative and Professional Personnel—Professional Consultants and Screeners.* The division of medical care shall employ administrative personnel in both state and local offices and employ the services of professional screeners and consultants as found necessary to carry out the proper administration of the program.

SEC. 74.09.120 *Purchases of Services, Care, Supplies.* The division of medical care shall purchase necessary physician and dentist services by contract or "fee for service." The division of medical care shall purchase hospital care by contract or by all inclusive day rate, or at not more than the minimum ward rate of each hospital after approval of the rate by the division of medical care. Any hospital when requested by the division of medical care shall supply such information as necessary to justify its rate. All additional services provided by the hospitals shall be purchased at rates established by the division of medical care after consultation with the hospital. The division of medical care shall purchase nursing home care by contract or at not more than the minimum ward rate of each nursing home. Any

nursing home when requested by the division of medical care shall supply such information as necessary to justify this rate. All additional services provided by the nursing home shall be purchased at rates established by the division of medical care after consultation with the nursing home.

All other services and supplies, including drugs, provided under the program shall be secured generally through customary trade channels in accordance with contracts between the vendor and the division of medical care.

SEC. 74.09.130 *Minimum Standards, Rules, Policies—Filing.* The state welfare medical care committee may make recommendations for the minimum standards of care to be provided by the various vendor groups and other standards and rules and regulations as may be necessary to carry out the provisions of this chapter. Such rules, regulations and standards prescribed shall be submitted to the assistant director for his consideration. If approved by the director they shall be filed with the secretary of state and shall become effective thirty days thereafter.

The committee shall further advise the division of medical care on policies and rules and regulations governing the administration of the program.

SEC. 74.09.140 *Statistical and Financial Analysis.* The department shall biennially provide the committee, the governor and the legislature with a full statistical and financial analysis of the program which shall set forth the amount of service provided, utilization and expenditures by groups served, and kind of services provided and other pertinent information.

SEC. 74.09.150 *Personnel to Be Under Existing Merit System.* All personnel employed in the administration of the medical care program shall be

covered by the existing merit system under the state personnel board or its successor.

SEC. 74.09.160 *Presentment of Charges by Contractors—Revolving Funds.* 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 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.

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 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.

SEC. 74.09.170 *Availability of Records and Reports of Department.* All of the records and reports of the department of public assistance relative to the administration of the program covered by this chapter shall be available to the state welfare medical care committee, subject to all restrictions of confidentiality of section 74.04.060.

SEC. 74.09.180 *Chapter Does Not Apply Where Third Party Liable—Exception, Subrogation.* The provisions of this chapter shall not apply to recipients whose personal injuries are occasioned by negligence or wrong of another: *Provided, however,* That the director of the department of public assistance may, in his discretion, furnish assistance, under the provisions of this chapter, for the results of injuries to a recipient, and the department of public assistance shall thereby be subrogated to the recipient's right of recovery therefor to the extent of the value of the assistance furnished by the department of public assistance.

SEC. 74.09.190 *Construction of Chapter—Religious Beliefs.* Nothing in this chapter shall be construed as empowering the director to compel any recipient of public assistance and a medical indigent person to undergo any physical examination, surgical operation, or accept any form of medical treatment contrary to the wishes of said person who relies on or is treated by prayer or spiritual means in accordance with the creed and tenants of any well recognized church or religious denomination.

SEC. 74.09.900 *Other Laws Applicable.* All the provisions of Title 74, not otherwise inconsistent herewith, shall apply to the provisions of this chapter.

Chapter 74.10

DISABILITY ASSISTANCE

SEC. 74.10.010 *Disability Assistance—Administration—Intent.* There is hereby created a new category of federal aid assistance to be known as disability assistance to be administered on a uniform statewide basis by the state department of public assistance. The legislature hereby expresses its intention to comply with the federal requirements under the provisions of public law 734 (64 Statutes at

Large 548) creating a new category of assistance in order to secure federal matching funds for such a program.

SEC. 74.10.020 *Eligibility.* In addition to the eligibility requirements under section 74.08.025, disability assistance grants will be awarded on a uniform state-wide basis to an applicant who is:

(1) Permanently and totally disabled as defined by the state department of public assistance and such definition is approved by the federal security agency for federal matching funds, and

(2) Eighteen years of age or over, and

(3) Has been a resident of the state of Washington for one year prior to the date of application, and

(4) Willing to submit himself to such examinations as are deemed necessary by the state department of public assistance to establish the extent and nature of his disability.

SEC. 74.10.030 *Amount of Assistance—Dependents.* In determining the amount of assistance to which an eligible applicant or recipient shall be entitled, the department of public assistance is authorized to include the needs of such applicant's or recipient's legal dependents if they are not concurrently receiving another type of public assistance.

SEC. 74.10.070 *Restoration to Health and Independence—Services Provided.* The department is authorized to provide through employment of properly qualified personnel such social and related services as are found necessary for proper administration of this chapter and to the end that applicants for or recipients of disability assistance are helped to attain self-care and/or self-support by effective use of all resources for rehabilitation and restoration to health and independence. The department of public assistance shall refer recipients who can be benefited thereby to the appropriate public and private re-

sources for rehabilitation through retraining, restorative services, treatment and therapy.

Chapter 74.11

VOCATIONAL REHABILITATION OF NONDISABLED

SEC. 74.11.010 *Purpose.* This chapter provides for the return to full or partial self-support of non-disabled recipients of public assistance whose capacity to earn a living is impaired.

SEC. 74.11.020 *Definitions.* As used in this chapter:

- (1) "Nondisabled person" means an individual:
 - (a) Who does not have a substantial physical or mental handicap;
 - (b) Who is receiving public assistance and may be expected to remain a public charge of the state; and
 - (c) Who is "vocationally handicapped," because of lack of training, experience, skills, or other factors which, if corrected, would lead to self-support instead of dependency.
- (2) "Board" means the state board for vocational education and includes the division of vocational rehabilitation of the "board".

SEC. 74.11.030 *Persons Eligible.* To be eligible for vocational rehabilitation under this chapter, a person must:

- (1) Be a "nondisabled person," as defined in section 74.11.020; and
- (2) Either be responsible for his own maintenance, or be the responsible head of a household; and
- (3) Have a potential capacity which would warrant development with a reasonable chance for employment after rehabilitation services; and
- (4) Be accessible to services, or be willing to

move if necessary to take advantage of the services offered; and

(5) Be referred by a public assistance agency.

The public assistance agency, referring a nondisabled person for vocational rehabilitation, shall forward with such referral any medical, psychiatric, social, financial, or other information that the board may request.

SEC. 74.11.040 *Powers and Duties of Board.* The board shall:

(1) Disburse all funds provided by law, and all funds obtained from private and other sources, that are unconditionally offered for the rehabilitation program provided for by this chapter;

(2) Appoint and fix the compensation of the personnel necessary to administer this chapter;

(3) Vocationally rehabilitate and place in remunerative occupation, insofar as it is deemed possible and feasible, persons eligible for the benefits of this chapter;

(4) Provide for the training of personnel as may be needed to carry out and to develop vocational rehabilitation services for the rehabilitation of those eligible for the benefits of this chapter;

(5) Make such rules and regulations as may be deemed necessary for the administration of this chapter.

SEC. 74.11.050 *State Treasurer Designated Custodian of Funds.* The state treasurer is designated custodian of all moneys received from appropriations, or otherwise, for purposes of this chapter, and is authorized to make disbursements therefrom upon the order of the board.

SEC. 74.11.060 *Procedure for Planning Program.* The board is authorized to co-operate with other agencies in carrying out the provisions of this chapter and may formulate a plan of co-operation with the state department of public assistance.

SEC. 74.11.070 *Acceptance of Federal Acts.* The state of Washington accepts the provisions and benefits of any acts of congress which provide for the rehabilitation of nondisabled persons as defined in section 74.11.020.

SEC. 74.11.900 *Severability.* If any clause, sentence, or section of this chapter shall be held ineffective or unconstitutional, such ineffective clause, sentence, or section shall not affect the constitutionality of the remaining portions of this chapter.

Chapter 74.12

AID TO DEPENDENT CHILDREN—CHILD WELFARE SERVICES

SEC. 74.12.010 *Definitions.* For the purposes of the administration of aid to dependent children assistance, the term "dependent child" means a child in need under the age of eighteen years who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of the parent, and who is with his father, mother, grandmother, grandfather, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece, in a place or residence maintained by one or more of such relatives as his or their homes.

"Aid to dependent children" means money payments and services with respect to a dependent child or dependent children and the needy parents or relatives with whom the child lives.

SEC. 74.12.030 *Eligibility.* In addition to meeting the eligibility requirements of section 74.08.025, an applicant for aid to dependent children must be a needy child:

- (1) Who has resided in the state for one year immediately preceding application; or
- (2) Who was born within the last year, and

whose parent, or other relative, with whom he lives has lived in this state for a year immediately preceding his birth; or

(3) Whose parent or other relative with whom he lives has been a resident of this state for one year immediately preceding application.

SEC. 74.12.130 *Child Welfare Services.* The department shall:

(1) Co-operate with the federal government, its agencies or instrumentalities, in developing, administering, and supervising a plan for establishing, extending aid to, and strengthening services for the protection and care of homeless, dependent, and neglected children, and children in danger of becoming delinquent;

(2) Accept custody of children and provide for the care of children in need of protective services, directly or through its agents, following, in general, the policy of using properly approved private agency services for the actual care and supervision of such children insofar as they are available, paying for care of such dependent children as are accepted by the department as eligible for support at a reasonable rate established by the department; and

(3) Receive and expend all funds made available by the federal government, the state or its political subdivisions for such purposes.

SEC. 74.12.230 *Source of Funds.* The funds necessary to carry out the provisions of this chapter shall be made available from the revenues provided by the federal, state and county governments for public assistance.

SEC. 74.12.240 *Services Provided to Help Attain Maximum Self-support and Independence of Parents and Relatives.* The department is authorized to provide such social and related services as are reasonably necessary to encourage the care of dependent

children in their own homes or in the homes of relatives, to help maintain and strengthen family life and to help such parents or relatives to attain maximum self-support and personal independence consistent with the maintenance of continuing parental care and protection. In the provision of such services, maximum utilization of other agencies providing similar or related services shall be affected.

Chapter 74.14

CHILD WELFARE AGENCIES

SEC. 74.14.010 *Definitions.* For the purpose of this chapter, unless otherwise clearly indicated by the context, the terms used shall have the following meanings:

(1) "Department" means the state department of public assistance.

(2) "Director" means the director of the state department of public assistance.

(3) "Children's staff" means personnel of the department specially qualified in and responsible for the direction of services for children.

(4) "Agency" is defined as any person, firm, association or corporation, or any private institution, but not including foster homes, which receives for control, care, placement, or maintenance, minor children, and not including in the case of an individual, children related to such persons or under guardianship, but shall include within its scope the following:

(a) A children's institution is defined as an establishment which is maintained and operated for the group care of children or which may accept custody and responsibility as required for the welfare of children under care. It shall not apply to any boarding school which is essentially and primarily engaged in educational work characterized by having education as its only function, operating on a definite school year schedule, following a stated academic curricu-

lum, accepting only school-age children, and not accepting custody of children; nor to any nonprofit institution which is operated under adequate local control by an established board of laymen or by a church organization.

(b) A child-placing agency is defined as an agency, society, association, institution or person not related by blood to the child placed, which places or supervises children in family homes or special institutions or arranges temporary or continued care for children or places a child or children for adoption.

An agency, society, association or institution which is not operated for profit and which is operated under adequate local control by an established board of laymen or a church organization and which places or supervises children in family homes or special institutions or arranges temporary or continued care for children or places a child or children for adoption shall not be considered a child-placing agency within the terms of this chapter.

(c) A maternity home is an institution or place of residence the primary function of which is to give care to illegitimately pregnant girls or women, before or during confinement, or which provides care as needed to mothers and their infants after confinement, with or without compensation.

(d) A day nursery is an institution which provides care during the day for a group of children with or without compensation. Its primary function is to give care and supervision to children in need of supplemental parental care during the day whose own families are unable to provide this daytime care. A day nursery shall not mean a nursery school which is essentially and primarily engaged in educational work with preschool children whose parents send the child to the nursery school only for education, the child not being in need of supplemental parental care: *Provided*, That nothing in this chapter shall

be construed to cover the care of a neighbor's, relative's, or friend's child or children with or without monetary consideration where the person does not regularly engage in such activity or where parents on a mutually cooperative basis exchange care of one another's children. It shall not include any agency operated by another state department or governmental agency, or by a church organization.

SEC. 74.14.020 *Standards for Child Welfare Agencies.* The department shall have the power, and it shall be its duty through the children's staff of the department:

(1) To promulgate standards as follows:

(a) Practices and policies of the applicant must provide adequately for the protection of the health, safety, physical, moral and mental well-being of the children cared for by the applicant or licensee.

(b) The applicant or licensee or the person charged with the active management must be persons of good character.

(c) The applicant or licensee must employ an adequate number of capable persons qualified by education or experience to render the type of care for which the applicant seeks a license.

(d) The applicant or licensee must have adequate physical facilities for the purpose for which the applicant seeks a license.

(2) To promulgate and publish rules and regulations in implementation of these standards governing the issuance of and renewal of licenses.

(3) To inspect and evaluate all applicants or licensees to determine whether or not there is compliance by such applicant or licensee with the applicable rules and regulations and standards.

(4) To consult with licensees and those applying for a license in order to help them improve their methods and facilities of child care.

(5) To prescribe the form and content of reports necessary for the administration of this chapter and to require regular reports from each licensee.

The applicant or licensee must carry an adequate liability and property damage insurance policy in such amount as may be determined by the director.

SEC. 74.14.030 *License Application, Issuance, Expiration, Renewal.* Applicants for a license as provided for in this chapter shall make application to the state department of public assistance on forms provided by the department. Upon receipt of such an application the department shall have a reasonable time in which to determine whether or not a license should be granted. The licenses provided for in this chapter shall be issued for a period of one year. If a licensee desires to apply for a renewal of its license a request for a renewal shall be filed three months prior to the expiration date of the license. If the department has failed to act at the time of the expiration date of the license, the license shall be deemed to be automatically and temporarily renewed until such time as the department shall act.

SEC. 74.14.040 *License Issuance, Expiration, and Renewal.* On receipt of an application showing compliance with all of the requirements of this chapter and all the rules and regulations of the department, a license for a period of one year shall be granted by the department. If a licensee desires to apply for a renewal of its license, a request therefor shall be filed three months prior to the expiration date.

SEC. 74.14.050 *Fire Protection—Fire Marshal's Certificate Required.* Fire protection with respect to all agencies to be licensed hereunder shall be the responsibility of the state fire marshal. In this connection the state fire marshal shall adopt, promulgate, and enforce such rules and regulations as may be designed to protect the occupants from fire hazards,

and he shall make or cause to be made such inspections and investigations as he deems necessary.

Each applicant for a license shall submit to the department of public assistance a certificate of approval from the state fire marshal that rules and regulations for fire protection as established by him have been met before a license can be issued.

SEC. 74.14.060 *Health Protection — Board of Health Certificate Required.* The state board of health with the advice of representatives of voluntary agencies subject to this chapter and the state department of public assistance shall adopt and promulgate such rules, and regulations with respect to all child welfare agencies to be licensed hereunder as is deemed necessary to promote and protect the health of all children residing therein.

(1) Except as provided in subdivision (2) of this section the health rules and regulations of the state board of health shall be enforced by the state department of health.

(2) Any city, county, or district health department, which employs a full-time health officer, may make application in writing to the state director of health for a certificate of approval to enforce the rules and regulations of the state board of health within the area of its jurisdiction. Upon receipt of such application the state director of health shall investigate and determine whether the city, county, or district health department is entitled to such approval and if so the state director of health shall issue the certificate applied for. Upon receipt of such certificate of approval the local health department shall have full authority through the health officer to perform all the duties relative to the enforcement of the rules and regulations of the state board of health. Any certificate of approval may be canceled by the state director of health after thirty days notice in writing to the holder of the certificate

of approval should it be found that such holder is incompetent or unable to enforce the rules and regulations of the state board of health.

(3) The state department of health or the local health department having authority shall make or cause to be made such inspections and investigations of child welfare agencies as is deemed necessary, and each applicant for a license shall submit to the department a certificate of approval from the state or local health department that rules and regulations for health as established by the state board of health have been met before a license can be issued.

SEC. 74.14.070 *Provisional Licenses.* The department may issue provisional licenses to applicants for a license, or licensees who are unable to conform to all the rules and regulations of the department as established pursuant to sections 74.14.020, 74.14.050, and 74.14.060. No provisional license may be issued unless the applicant makes at least minimum provision for the health and safety of the child and unless the department finds that an emergent need exists for the type of service the applicant proposes to render. Such provisional license shall in no event be issued for a period in excess of six months and shall not be subject to renewal.

SEC. 74.14.080 *License—Denial, Suspension, Revocation—Hearing.* (1) Any license issued pursuant to this chapter may be denied, suspended or revoked by the director upon proof (a) that the licensee has failed or refused to comply with the provisions of this chapter or the rules and regulations promulgated pursuant to the provisions of this chapter, or (b) that the conditions required for the issuance of a license under this chapter have ceased to exist with respect to such licenses.

(2) Whenever the director shall have reasonable cause to believe that grounds for the denial, suspen-

sion or revocation of a license exists or that a licensee has failed to qualify for renewal of a license he shall notify the licensee in writing stating the grounds upon which it is proposed that the license be denied, suspended, revoked or not renewed.

The director shall promulgate and publish rules and regulations governing the conduct of hearings. Within fifteen days from the receipt of notice of the grounds for denial, suspension, revocation or lack of renewal the licensee may serve upon the director a written request for hearing. Service of a request for hearing may be made by registered mail. Upon receiving a request for hearing the director shall fix a date upon which the matter may be heard, which date shall be not more than thirty days from the receipt of the request for such hearing and shall give the licensee at least fifteen days written notice of said hearing date. If no request for hearing is made within the time specified, the license shall be deemed denied, suspended or revoked. It shall be the duty of the department within thirty days after the date of the hearing to notify the appellant of the decision of the director.

SEC. 74.14.090 *Appeal from Denial, Suspension or Revocation of License.* In the event that an applicant or licensee feels aggrieved by the decision rendered in the hearing provided for in section 74.14.080, he shall have the right to appeal to the superior court of the county of his legal residence which appeal shall be taken by a notice filed with the clerk of the court and served upon the director either by registered mail or by personal service within fifteen days after the decision of the department. Upon receipt of the notice of appeal, the clerk of the superior court shall immediately docket the case for trial.

Within ten days after being served with a notice of appeal the director shall file with the clerk of the

court the record of the case on appeal, and no further pleadings shall be necessary to bring the appeal to issue.

The court shall decide the case on the record. The findings of the director as to the facts shall be conclusive unless the court determines that such findings are not supported by a preponderance of the evidence in the record.

The court may affirm the decision of the director or reverse any decision of the director where it finds the director has acted arbitrarily, capriciously or contrary to law, and remand the cause to the director for further proceedings in conformity with the decision of the court. Either party may appeal from the decision of the superior court to the supreme court of the state, which appeal shall be taken and conducted in the manner provided for by law or by the rules of the court applicable to civil appeals.

SEC. 74.14.100 *Articles of Incorporation and Amendments—Copies to Be Furnished the Department.* A copy of the articles of incorporation or amendment of the articles of existing corporations for agencies shall be sent by the secretary of state to the department of public assistance at the time such articles are filed.

SEC. 74.14.110 *Access to Agencies, Records.* It is the duty of all agencies, pursuant to this chapter, to accord the department or its agents the right of entrance, privilege of inspection, and access to its records of work for the purpose of ascertaining the kind and quality of work done and of obtaining a proper basis for its recommendations.

SEC. 74.14.120 *“Foster Home” Defined—Exceptions.* The term “foster home” as used in this chapter shall mean a family home which is operated with or without compensation to provide care on a twenty-four hour basis or during a period of twenty-

four hours a day in lieu of the child's own home. It shall not include within its scope the occasional care of a neighbor's, relative's or friend's child or children with or without compensation or where the person does not regularly engage in such activity or where the parents on a mutually co-operative basis exchange care of one another's children.

SEC. 74.14.130 *Foster Homes—Certificate of Approval—Standards—Supervision.* The department shall have the power, and it shall be its duty, through the children's staff of the department:

(1) To issue and renew licenses to applicants who have complied with the following standards either directly or through the county offices of the state department acting for the department or licensees of the department as prescribed by rules and regulations.

(a) The applicant for a certificate of approval as a foster home must be a person of good character.

(b) The foster home care of the applicant must provide adequately for the protection of the health, safety, physical, mental and moral well-being of the child or children to be cared for by the applicant.

(2) To promulgate and publish rules and regulations in implementation of these standards governing the issuance and renewal of certificates of approval.

(3) To inspect and supervise all foster homes to enforce the application of the rules and regulations.

(4) To deny, revoke or suspend the certificate of approval of any foster home which has failed or refused to comply with the provisions of this chapter or the rules and regulations promulgated pursuant to this chapter.

SEC. 74.14.140 *Action Against Unlicensed Agencies and Homes Authorized.* Notwithstanding the existence or pursuit of any other remedy, the department of public assistance may, in the manner pro-

vided by law, upon the advice of the attorney general who shall represent the department in the proceeding, maintain an action in the name of the state for injunction or other process against any person, partnership, association, or corporation, or any private institution, agency or foster home, which shall hereafter give temporary or permanent care or custody to a child or children, or an illegitimate pregnant woman or women not related by blood, marriage or adoption to such person, without having a license from the department or a certificate of approval as a foster home, or who shall place for temporary or permanent care or for adoption, a child or children not related to him by blood, marriage or adoption without having a license or certificate of approval, as heretofore provided in this chapter.

SEC. 74.14.150 *Agencies, Homes Conducted by Religious Organizations—Application of Chapter.* Nothing in this chapter or the rules and regulations adopted pursuant thereto shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents of any agency, children's institution, child placing agency, maternity home, day or hourly nursery, foster home or other related institution conducted for or by members of a recognized religious sect, denomination or organization which in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of religion, nor shall the existence of any of the above conditions militate against the licensing of such a home or institution.

Chapter 74.16

AID TO BLIND PERSONS

SEC. 74.16.011 *Advisory Committee for the Blind.* There is hereby created an advisory committee for the blind to be composed of three members. The

committee shall act as an advisory committee to the department of public assistance on all matters pertaining to the blind. The director shall appoint the three members of the committee for terms of two, four and six years respectively. Thereafter each member of the committee shall be appointed for a term of six years; except in the case of a vacancy in which event the appointment shall be only for the remainder of the unexpired term in which the vacancy occurs. Each of the three members of the committee shall receive his actual necessary traveling and other expenses in going to, attending and returning from the meetings of his committee. Appointment to the committee shall be made on the basis of a recognized interest in and a demonstrated knowledge of the problems of the blind. All members of the committee shall be blind. The committee shall make recommendations as to procedures and policies affecting any problem of the blind before the department. The committee shall advise such services, activities, programs, investigations and researches as in its judgment shall contribute to the welfare of blind persons. The department shall seek the advice of and consult with the committee on problems and policy changes affecting the blind within the department's jurisdiction; and the committee may initiate consultations with the department.

SEC. 74.16.030 *Eligibility.* In addition to meeting the eligibility requirements of section 74.08.025, an applicant for aid to the blind assistance must be an applicant:

(1) Who is twenty-one years of age or over; or who has reached his sixteenth birthday and is found not to be acceptable for education at the state school for the blind;

(2) Who has no vision or whose vision, with correcting glasses, is so defective as to prevent the per-

formance of ordinary activities for which eyesight is essential;

(3) Who has resided in this state for five years during the ten years immediately preceding the date of application, or who suffered loss of sight while a resident of this state and has resided continuously in this state since such loss of sight except for any temporary absence from the state incident to receiving treatment for the injury or disease causing loss of sight or for the attempt of restoring sight;

(4) Who is not publicly soliciting alms in any part of this state. The term "publicly soliciting" means the wearing, carrying, or exhibiting of signs denoting blindness and the carrying of receptacles for the reception of alms, or the doing of the same by proxy, or by begging: *Provided*, That no person otherwise eligible shall be deemed ineligible who has been a patient in a public hospital for a period of less than thirty days; or is employed in a shop maintained for the blind which does not furnish board or room; or attends a college or university in the state; or who pays the assistance money received to a private institution or home for his care.

SEC. 74.16.040 *Examination of Applicant's Eyes.* Examination of the applicant's eyes by an ophthalmologist or physician skilled in diseases of the eye or by a licensed optometrist shall be provided without charge to the applicant for aid to the blind assistance.

SEC. 74.16.170 *Prevention of Blindness.* In cooperation with the department of public health, there shall be established and maintained such service as is needed looking toward the prevention of blindness, the purpose of which shall be to determine the causes of blindness, and to inaugurate and co-operate in any preventive measures for the state of Washington as may appear practicable. Whenever a blind or partially blind person can be benefited by medical or surgical treatment for which he is unable to pay,

arrangement shall be made for an examination, with the consent of the individual, and for the necessary treatment by an ophthalmologist or physician skilled in the diseases of the eye.

SEC. 74.16.180 *Vocational Training.* The department may maintain or cause to be maintained, in cooperation with the division of vocational rehabilitation of the state board of vocational education, services for vocational aid and training the objects of which shall be:

(1) To place blind persons in jobs and/or business enterprises in accordance with the abilities and interests of the applicant therefor;

(2) To teach blind persons trades or occupations which may be followed in their homes and to assist them in whatever manner may seem advisable in disposing of the products of their home industries;

(3) To establish and/or maintain one or more training schools and/or workshops to teach blind persons trades or occupations when such training is feasible and will contribute to the efficiency and/or self-support of such blind person and to devise means for the sale and distribution of the products thereof;

(4) To arrange for special education and/or training in the trades, business or professions under a vocational plan, and if the same cannot be obtained within the state arrangements shall be made for such purposes outside of the state. Living maintenance during the period of such education and/or training within or without the state shall be furnished where there is need;

(5) To aid individual blind persons or groups of blind persons to become self-supporting by furnishing materials and/or machinery to them, and/or by providing them with financial assistance to enable them to take advantage of all laws of the United States providing assistance and aid to the blind, in the form of matching funds, and also

(6) To provide home visitation and home teaching of subjects which will assist blind persons in the ease and enjoyment of daily living.

SEC. 74.16.190 *Home Industries Revolving Fund.* The department may create an operating fund of fifteen thousand dollars from any money appropriated for the blind to be used to create a home industries revolving fund for the purpose of advancing the cost of production and wages for the blind engaged in industry under the supervision of the department and to promote the sale of articles produced by such industry. All moneys received from the sale of articles produced in industries of the blind under the supervision of the department shall be deposited in the home industries revolving fund.

SEC. 74.16.200 *Self-support Aid—General qualifications For.* Aid shall be granted under the provisions of sections 74.16.200 through 74.16.290 to the applicant who:

(1) Has reached his sixteenth birthday and is found not to be acceptable for education at the state school for the blind;

(2) Is blind; that is, who is unable, by reason of loss or impairment of sight, to provide himself fully with the necessities of life;

(3) Is without income and resources through his own means, as defined under sections 74.16.200 through 74.16.290, sufficient to provide a reasonable and decent standard of living;

(4) Has been a resident of this state for a period of three years immediately preceding the filing of his application if he is between the ages of sixteen and twenty-one, or if over twenty-one who has been a resident for at least five years within the ten years immediately preceding the date of such application; or who has become blind while a resident of this state and has been a resident of this state for a period

of six months immediately preceding the filing of his application;

(5) Is not an inmate of an institution, supported in whole or in part by this state or any of its political subdivisions: *Provided*, That a patient of a public hospital, for a period not exceeding thirty days, or an employee of a shop which, though supported by this state, does not furnish board and room, or a student attending any public high school or institution of higher learning, shall not be considered such an inmate: *And provided*, That any person may apply for aid under sections 74.16.200 through 74.16.290 while he is such an inmate and may remain an inmate until he receives his first monthly payment, whereupon he shall cease to be such inmate: *And provided further*, That if a recipient becomes ineligible for aid because of confinement in an institution or hospital, the order suspending his aid shall provide for its restoration if he is eligible immediately upon his discharge;

(6) Does not publicly solicit alms, whether in person or by proxy, and whether by the wearing, carrying, or exhibiting of signs denoting blindness for the purpose of securing alms, or by the carrying of receptacles therefor, or by begging;

(7) Is not a recipient of aid under the old age assistance or aid to the needy blind laws of this state; and

(8) Possesses a reasonably adequate plan for self-support and gives evidence that he is attempting to carry out that plan through a sincere and sustained effort.

SEC. 74.16.210 ————*False Statement to Procure—Fraud—Penalty*. Any person who, in order to obtain for himself or another the aid provided in sections 74.16.200 through 74.16.290, knowingly makes a false statement under oath shall be deemed guilty of perjury. Any aid or portion thereof fraudu-

lently obtained under sections 74.16.200 through 74.16.290 shall be restored to this state by the recipient and all actions necessary to secure restoration may be brought against him.

SEC. 74.16.220 ————*Application For—Investigation—Review.* The applicant shall file with the county office of the state department of public assistance an application, accompanied by an affidavit signed by himself, stating his age, sex, places of residence, his financial resources and income, the degree of his blindness, how long he has been blind, what employment and education he has had, his general physical condition, and such other statistical data as may be essential to determine eligibility, and a statement of his plan looking toward self-support.

Investigation shall be completed within thirty days from date of application and written notice of the decision shall be given the applicant. Failure to complete determination of eligibility may be considered a denial.

If upon investigation, the county office of the state department of public assistance determines that the applicant is eligible for “self-supporting” aid under sections 74.16.200 through 74.16.290, it shall grant such aid the first of the month following completion of eligibility.

The county office of the state department of public assistance shall review the case of each recipient at least once annually and shall redetermine whether he is eligible for aid under this section.

SEC. 74.16.230 ————*After-acquired Resource—Report—Effect.* If at any time during the continuance of assistance the recipient thereof becomes possessed of any property or income in excess of the amount enjoyed at the time of the granting of assistance it shall be the duty of the recipient immediately to notify the local administrative office of the receipt or possession of such property or income

and the local administrative board may, after investigation, either cancel the assistance or alter the amount thereof in accordance with the circumstances. Any assistance paid after the recipient has come into possession of such property or income and in excess of his need shall be recoverable by the state as a debt due to the state.

SEC. 74.16.240 ————*Maximum Property Allowable—Definitions.* No blind person shall receive “self-supporting” aid under the provisions of sections 74.16.200 through 74.16.290, who owns personal or real property, or both, the assessed valuation of which, less all encumbrances thereon of record, is in excess of four thousand dollars.

The term “personal property” shall not include a policy or policies of life insurance on the life of the applicant or recipient, which has or have been in effect at least five years prior to the date of application if cash surrender value of the policy or policies does not exceed one thousand dollars.

No life insurance policy shall be valued at more than its cash surrender value to the applicant or recipient. Premiums paid on life insurance policies by other persons shall not be deemed income or resources and no deductions therefor shall be made from the amount of aid granted under sections 74.16.200 through 74.16.290.

Nor shall the term “personal property” include interment plots, or money placed in trust or insurance for interment or funeral expenses, or any contract rights connected therewith, if such money, insurance, or contract rights does not exceed five hundred dollars in value.

An applicant’s or recipient’s share of any estate, which share has not been distributed, and of which he has no present economic use, does not constitute property for the purpose of sections 74.16.200 through 74.16.290.

Any proceeds from involuntary conversion of real property into personal property (such as from condemnation or eminent domain proceedings) received by a self-supporting recipient shall be considered real property for a period of one year from the time of its receipt.

SEC. 74.16.250 ————*Amount of Aid—Determination.* A recipient shall be entitled to that amount of aid which, when added to his net annual income in excess of twelve hundred dollars, shall equal not more than eighty dollars per month: *Provided,* That for every dollar a recipient earns in excess of twelve hundred dollars, fifty cents shall be deducted from the eighty dollar monthly grant.

Net income from any one or more of the following sources shall be considered in computing the total value of twelve hundred dollars per annum:

- (1) Income from applicant's or recipient's labor or services;
- (2) The value of foodstuffs produced by him or his family for the use of himself or that of his family;
- (3) The value of firewood and/or water produced on his own premises or given to him by another for his use;
- (4) The value of gifts;
- (5) The value of the use and occupancy of premises owned and occupied by him;
- (6) The net income from real and personal property owned by him;
- (7) Cash income from any other source.

SEC. 74.16.260 ————*Treatment and Operations Available.* The privilege of treatment and operations for the prevention of blindness or the restoration of sight available to the needy blind shall be available to the persons receiving self-supporting aid under sections 74.16.200 through 74.16.290.

SEC. 74.16.270 ————*Aid Funds Inalienable—Except from Creditors.* All aid given under sections 74.16.200 through 74.16.290, shall be absolutely inalienable by any assignment, sale, attachment, execution, or otherwise, and in case of bankruptcy, the aid shall not pass through any trustee or other person acting on behalf of creditors.

SEC. 74.16.280 ————*Appeal from Denial of Aid.* If the blind person's application for "self-supporting" aid is denied, he or she shall have the right to appeal in the same manner as provided for appeals by a "needy" blind person from an adverse ruling or decision of the state department of public assistance.

SEC. 74.16.290 ————*Administration—Co-operation for Federal Assistance.* The administration of "self-supporting" aid for blind persons is vested in the state department of public assistance and in the counties to be administered in accordance with the provisions of law applicable to aid to the needy blind. Unless otherwise expressly provided in sections 74.16.200 through 74.16.290, all provisions of law applicable to the powers and duties of the department and the counties with respect to the needy blind shall apply to the powers and duties of the department and the counties with respect to "self-supporting" aid provided herein.

The department of public assistance, through the division of the blind, shall supervise the administration of the provisions herein.

The state director of the department of public assistance is hereby empowered and authorized to co-operate with the United States government or any of its agencies in any reasonable manner as may be necessary to qualify for federal assistance to the "self-supporting" blind.

SEC. 74.16.296 ————*Purpose.* The purpose of sections 74.16.200 through 74.16.290 is to provide a

plan for this state whereby the blind residents of this state may be encouraged to take advantage of and to enlarge their economic opportunities, to the end that they may render themselves independent of public assistance and become entirely self-supporting.

To achieve this objective, resources and income beyond the necessities of bare decency and subsistence are required. Sections 74.16.200 through 74.16.290, by allowing the retention of necessary income and resources by those of the blind showing a reasonable probability of being able and willing to undertake the acquisition of resources and income necessary for self-support, will encourage them in their efforts to become self-supporting.

SEC. 74.16.297 ————*Construction.* The provisions of sections 74.16.200 through 74.16.290 shall be liberally construed to effect its objects and purposes.

SEC. 74.16.300 *Services Provided to Help Attain Self-care.* The department is authorized to provide social and related services as are reasonably necessary to the end that applicants for or recipients of aid to the blind assistance are helped to attain self-care.

Chapter 74.98

CONSTRUCTION

SEC. 74.98.010 *Continuation of Existing Law.* The provisions of this title insofar as they are substantially the same as statutory provisions repealed by this chapter, and relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments.

SEC. 74.98.020 *Title, Chapter, Section Headings Not Part of Law.* Title headings, chapter headings, and section or subsection headings, as used in this title do not constitute any part of the law.

SEC. 74.98.030 *Invalidity of Part of Title Not to Affect Remainder.* If any provision of this title, or its application to any person or circumstance is held invalid, the remainder of the title, or the application of the provision to other persons or circumstances is not affected.

SEC. 74.98.040 *Purpose.* It is the purpose and intent of this title to provide for the public welfare by making available, in conjunction with federal matching funds, such public assistance as is necessary to insure to recipients thereof a reasonable subsistence compatible with decency and health.

SEC. 74.98.050 *Repeals and Savings.* The following acts or parts of acts are repealed:

- (1) Sections 1 through 11, pages 395 through 397, Laws of 1854;
- (2) Section 19, page 422, Laws of 1854;
- (3) Sections 2680 and 2696 through 2706, Code of 1881;
- (4) Chapter 135, Laws of 1915;
- (5) Chapter 72, Laws of 1921;
- (6) Chapter 8, Laws of 1933;
- (7) Chapter 29, Laws of 1933;
- (8) Chapter 65, Laws of 1933;
- (9) Chapter 102, Laws of 1933;
- (10) Sections 2 through 7, chapter 172, Laws of 1933;
- (11) Chapter 77, Laws of 1935;
- (12) Chapter 106, Laws of 1935;
- (13) Chapter 110, Laws of 1935;
- (14) Chapter 118, Laws of 1935;
- (15) Sections 1 through 29, and 31, chapter 182, Laws of 1935;
- (16) Chapter 111, Laws of 1937;
- (17) Chapter 114, Laws of 1937;
- (18) Chapter 132, Laws of 1937;
- (19) Chapter 156, Laws of 1937;
- (20) Chapter 180, Laws of 1937;

- (21) Chapter 25, Laws of 1939;
- (22) Chapter 75, Laws of 1939;
- (23) Chapter 216, Laws of 1939;
- (24) Chapter 1, Laws of 1941;
- (25) Chapter 128, Laws of 1941;
- (26) Chapter 170, Laws of 1941;
- (27) Chapter 242, Laws of 1941;
- (28) Chapter 159, Laws of 1943;
- (29) Chapter 172, Laws of 1943;
- (30) Chapter 7, Laws of 1945;
- (31) Chapter 80, Laws of 1945;
- (32) Chapter 260, Laws of 1947;
- (33) Chapter 288, Laws of 1947;
- (34) Chapter 289, Laws of 1947;
- (35) Chapter 6, Laws of 1949;
- (36) Chapter 166, Laws of 1949;
- (37) Chapter 10, Laws of 1950, extraordinary session;
- (38) Chapter 1, Laws of 1951;
- (39) Chapter 122, Laws of 1951;
- (40) Chapter 165, Laws of 1951;
- (41) Chapter 176, Laws of 1951;
- (42) Chapter 261, Laws of 1951;
- (43) Sections 2 through 16, and 18, chapter 270, Laws of 1951;
- (44) Chapter 274, Laws of 1951;
- (45) Chapter 5, Laws of 1951, 1st extraordinary session;
- (46) Chapter 17, Laws of 1951, 2nd extraordinary session;
- (47) Chapter 21, Laws of 1951, 2nd extraordinary session;
- (48) Sections 3 through 51, chapter 174, Laws of 1953;
- (49) Chapter 3, Laws of 1953, 1st extraordinary session;
- (50) Chapter 5, Laws of 1953, 1st extraordinary session;

- (51) Chapter 273, Laws of 1955;
- (52) Chapter 366, Laws of 1955;
- (53) Chapter 379, Laws of 1955;
- (54) Chapter 380, Laws of 1955;
- (55) Sections 2 through 4, chapter 187, Laws of 1957;
- (56) Chapter 63, Laws of 1957.

Such repeals shall not be construed as affecting any existing right acquired under the provisions of the statutes repealed, nor as affecting any proceeding instituted thereunder, nor any rule, regulation or order promulgated thereunder, nor any administrative action taken thereunder, nor the term of office or appointment or employment of any person appointed or employed thereunder.

SEC. 74.98.060 *Emergency.* This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House January 20, 1959.

Passed the Senate January 27, 1959.

Approved by the Governor January 30, 1959.

Explanatory
note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

I. Introductory.

As a part of the program to restore session law language to the Revised Code of Washington, the code reviser's office and the codifications subcommittee of the Statute Law Committee have carefully examined the provisions of Title 74 relating to public assistance, housing authorities, housing cooperation, legal aid, and old age and survivors' insurance. Pursuant to such study it was determined that because of the complicated statutory history of the public assistance statutes embodied in chapters 74.04 through 74.16, that chapters 74.04 through 74.16 are nonrestorable.

The codifications subcommittee of the statute law committee, upon conferring with representatives of the department of public assistance, has undertaken to prepare a recompilation of chapters 74.04 through 74.16 of the Revised Code of Washington, removing conflicting provisions when such removal can be accomplished without affecting the substance of the law.

As the chapters relating to housing authorities, housing cooperation, legal aid, and old age and survivors' insurance are not strictly welfare and relief measures, they are neither repealed nor reenacted in this proposal, but rather, the code reviser will remove these chapters from

Title 74 and make a more logical placement of them elsewhere in other titles. Explanatory note.

The provisions of chapter 43.18 relating to the administration of the department of public assistance are herein recodified in chapter 74.04.

The numbering of sections as they now appear in the Revised Code of Washington has been retained although this results in rather wide numerical spacing between sections in some instances due to the previous repeal of sections which will no longer be memorialized.

This bill proposes the recompilation and reenactment of chapters 74.04 through 74.16.

II. Section Comment.

Chapter 74.04 General provisions—Administration

74.04.005 Source—(i) 1957 c 289 sec. 1; 1939 c 216 sec. 1. (ii) 1957 c 63 sec. 1; 1953 c 174 sec. 17; 1951 c 122 sec. 1; 1951 c 1 sec. 3; 1949 c 6 sec. 3.

This new definition section represents a combination of the definitions appearing in RCW 74.04.010 and 74.08.010 to provide one general definition section for the entire title. All the definitions formerly contained in RCW 74.08.010 (the latest enactment) have been retained. Those definitions formerly contained in RCW 74.04.010 which are covered by or are in conflict with the later enactment have been omitted.

74.04.011 Source—1953 c 174 sec. 3.
Presently codified as RCW 43.18.010.

74.04.013 Source—1953 c 174 sec. 48.
Presently codified as RCW 43.18.025.

74.04.015 Source—1953 c 174 sec. 49; 1937 c 111 sec. 12.
Presently codified as RCW 43.18.040.

74.04.017 Source—1953 c 174 sec. 4.
Presently codified as RCW 43.18.080.

74.04.020 Source—1953 c 174 sec. 8; 1939 c 216 sec. 2.
Presently codified as RCW 74.04.020.

“chapter 74.04 through 74.16” to “this title” as chapters 74.04 through 74.16 will comprise Title 74.

74.04.030 Source—1941 c 128 sec. 1; 1939 c 216 sec. 3.
Presently codified as RCW 74.04.030.
“this act” to “this title” as the section applies throughout Title 74.

“department of social security” to “department of public assistance” as name of department of social security was changed to department of public assistance by 1953 c 174.

74.04.034 Source—1953 c 174 sec. 9.
Presently codified as RCW 74.04.034.

74.04.035 Source—1955 c 379 sec. 1; 1953 c 174 sec. 10.
Presently codified as RCW 74.04.035.

74.04.040 Source—1953 c 174 sec. 12; 1939 c 216 sec. 5.
Presently codified as RCW 74.04.040.

74.04.050 Source—1955 c 273 sec. 21; 1953 c 174 sec. 6; 1939 c 216 sec. 6.
Presently codified as RCW 74.04.050.
“chapters 74.04 through 74.16” to “this title” as chapters 74.04 through 74.16 will comprise Title 74.

74.04.055 Source—1953 c 174 sec. 50.
Presently codified as RCW 74.04.055.
“chapter 74.04 through 74.16” to “this title” as chapters 74.04 through 74.16 will comprise Title 74.

74.04.060 Source—1953 c 174 sec. 7; 1950 ex.s c 10 sec. 1; 1941 c 128 sec. 5.
Presently codified as RCW 74.04.060.
“chapters 74.04 through 74.16” to “this title” as chapters 74.04 through 74.16 will comprise Title 74.

- Explanatory note. 74.04.070 Source—1953 c. 174 sec. 13; 1941 c 128 sec. 2, part; 1939 c 216 sec. 4, part.
Presently codified as RCW 74.04.070.
- 74.04.080 Source—1953 c 174 sec. 14; 1941 c 128 sec. 2, part; 1939 c 216 sec. 4, part.
Presently codified as RCW 74.04.080.
“chapters 74.04 through 74.16” to “this title” as chapters 74.04 through 74.16 will comprise Title 74.
- 74.04.120 Source—1939 c 216 sec. 8, part.
Presently codified as RCW 74.04.120.
The 1941 Code Committee divided this session law section into three code sections. The other two code sections (RCW 74.04-.100 and 74.04.110) were repealed by 1953 c 174 sec. 52. As a result the italicized matter “Allocations of state and federal funds, as in this section provided, . . .” has been eliminated as the portion of the session law section dealing with allocations was repealed.
- 74.04.141 Source—1953 c 174 sec. 11.
Presently codified as RCW 74.04.141.
- 74.04.150 Source—1953 c 174 sec. 43; 1943 c 172 sec. 2, part; 1939 c 216 sec. 10, part.
Presently codified as RCW 74.04.150.
- 74.04.151 Source—1953 1st ex.s c 3 sec. 1.
Presently codified as RCW 74.04.151.
This section provides an effective date for transferring the responsibility of providing general assistance from the counties to the state. The section is temporary in nature and its purpose having been accomplished has not been retained. It has been included in the repeal schedule.
- 74.04.180 Source—1953 c 174 sec. 15; 1939 c 216 sec. 12.
Presently codified as RCW 74.04.180.
- 74.04.200 Source—1939 c 216 sec. 14.
Presently codified as RCW 74.04.200.
“department of social security” to “department of public assistance”
“this act” to “this title” as the section has application to the entire title.
- 74.04.210 Source—1939 c 216 sec. 15.
Presently codified as RCW 74.04.210.
“this act” to “this title” as the section has application to the entire title.
- 74.04.250 Source—1939 c 216 sec. 19.
Presently codified as RCW 74.04.250.
“this act” to “this title” as the section has application to the entire title.
- 74.04.265 Source—1953 c 174 sec. 16.
Presently codified as RCW 74.04.265.
- 74.04.270 Source—1939 c 216 sec. 21.
Presently codified as RCW 74.04.270.
“department of social security” to “department of public assistance”
“social security committee” to “public assistance committee”
“this act” to “this title” as section has application to entire title.
The italicized words in the phrase “The public assistance committee shall immediately upon the taking effect of this act proceed to establish and install a uniform accounting system . . .” eliminated.
- 74.04.280 Source—1939 c 216 sec. 25.
Presently codified as RCW 74.04.280.
“this act” to “this title” as section has application to entire title.

- 74.04.290 Source—1939 c 216 sec. 26.
Presently codified as RCW 74.04.290.
“this act” to “this title” as section has application to entire title. Explanatory note.
- 74.04.300 Source—1957 c 63 sec. 3; 1953 c 174 sec. 35; 1939 c 216 sec. 27.
Presently codified as RCW 74.04.300.
- 74.04.310 Source—1939 c 216 sec. 28.
Presently codified as RCW 74.04.310.
“this act” to “this title” as section has application to entire title.
The phrase “such contributions to be disbursed in the same manner as moneys appropriated by this act;” changed to “such contributions to be disbursed in the same manner as moneys appropriated for the purposes of this title;” to give section permanent application.
- 74.04.330 Source—1941 c 170 sec. 7.
Presently codified as RCW 74.04.330.
“department of social security” to “department of public assistance”
“this act” to “this section” as the section is a penalty section and the penalty prescribed is limited to the section.
- 74.04.340 Source—1957 c 187 sec. 2.
Presently codified as RCW 74.04.340.
- 74.04.350 Source—1957 c 187 sec. 3.
Presently codified as RCW 74.04.350.
- 74.04.360 Source—1957 c 187 sec. 4.
Presently codified as RCW 74.04.360.
- Chapter 74.08 Eligibility—Standards of Assistance—
Old Age Assistance**
- 74.08.025 Source—1953 c 174 sec. 19.
Presently codified as RCW 74.08.025.
- 74.08.030 Source—1953 c 174 sec. 20; 1951 c. 165 sec. 1; 1951 c 1 sec. 5; 1949 c 6 sec. 4.
Presently codified as RCW 74.08.030.
- 74.08.040 Source—1957 c 63 sec. 2; 1953 c 174 sec. 18; 1951 c 1 sec. 6; 1949 c 6 sec. 5.
Presently codified as RCW 74.08.040.
- 74.08.050 Source—1953 c 174 sec. 26; 1949 c 6 sec. 6.
Presently codified as RCW 74.08.050.
- 74.08.055 Source—1953 c 174 sec. 27.
Presently codified as RCW 74.08.055.
- 74.08.060 Source—1953 c 174 sec. 28; 1949 c 6 sec. 7.
Presently codified as RCW 74.08.060.
- 74.08.070 Source—1953 c 174 sec. 30; 1949 c 6 sec. 8.
Presently codified as RCW 74.08.070.
- 74.08.080 Source—1953 c 174 sec. 31; 1949 c 6 sec. 9.
Presently codified as RCW 74.08.080.
- 74.08.090 Source—1953 c 174 sec. 5; 1949 c 6 sec. 10.
Presently codified as RCW 74.08.090.
“chapters 74.04 through 74.16” to “this title” as chapters 74.04 through 74.16 will comprise Title 74.
- 74.08.100 Source—1949 c 6 sec. 11.
Presently codified as RCW 74.08.100.
- 74.08.105 Source—1953 c 174 sec. 39.
Presently codified as RCW 74.08.105.
- 74.08.112 Source—1957 c 63 sec. 4.
Presently codified as RCW 74.08.112.
- 74.08.120 Source—1953 c 174 sec. 32; 1949 c 6 sec. 13.
Presently codified as RCW 74.08.120.
- 74.08.210 Source—1941 c 1 sec. 16.
Presently codified as RCW 74.08.210.

Explanatory
note.

- “this act” to “this title” as the section has application to the entire title.
- 74.08.260 Source—1949 c 6 sec. 17.
Presently codified as RCW 74.08.260.
“this act” to “this title” as the section has application to the entire title.
First sentence reading “If any portion, section or clause of this act, shall be declared or found to be invalid by any Court of competent jurisdiction, such adjudication shall not affect the remainder of this act.” deleted as this is covered by the general severability clause inserted in the construction chapter.
- 74.08.270 Source—1957 c 63 sec. 5; 1951 c 1 sec. 9. Prior: 1949 c 6 sec. 19.
Presently codified as RCW 74.08.270.
- 74.08.278 Source—1953 c 174 sec. 42; 1951 c 261 sec. 1.
Presently codified as RCW 74.08.278.
- 74.08.280 Source—1953 c 174 sec. 40; 1937 c 156 sec. 7; 1935 c 182 sec. 10.
Presently codified as RCW 74.08.280.
- 74.08.283 Source—1957 c 63 sec. 6.
Presently codified as RCW 74.08.283.
- 74.08.290 Source—1953 c 174 sec. 38; 1935 c 182 sec. 12.
Presently codified as RCW 74.08.290.
- 74.08.295 Source—1953 c 174 sec. 29.
Presently codified as RCW 74.08.295.
- 74.08.330 Source—1953 c 174 sec. 41; 1951 2nd ex.s. c 17 sec. 1; 1935 c. 182 sec. 20.
Presently codified as RCW 74.08.330.
- 74.08.335 Source—1953 c 174 sec. 33.
Presently codified as RCW 74.08.335.
“chapter 74.04 through 74.16” to “this title” as chapter 74.04 through 74.16 will comprise Title 74.
- 74.08.338 Source—1953 c 174 sec. 37.
Presently codified as RCW 74.08.338.
- 74.08.340 Source—1935 c 182 sec. 21.
Presently codified as RCW 74.08.340.
“this act” to “this title” as the section has application to the entire title.
- 74.08.370 Source—1935 c 183 sec. 24.
Presently codified as RCW 74.08.370, part.
“this act” to “this title” as the section has application to the entire title.
“director of public welfare” to “director of public assistance”.
- 74.08.375 Source—1935 c 182 sec. 25.
Presently codified as RCW 74.08.370, part.
“this act” to “this title” as the section has application to the entire title.
- 74.08.380 Source—1937 c 156 sec. 12.
Presently codified as RCW 74.08.380.

Chapter 74.09 Medical Care

- 74.09.010 through 74.09.900. Source—1955 c 273.
In 1955 c 273 sec. 2 (RCW 74.09.010) “definition of terms” changed to “as used in this chapter” and “as used in this chapter” eliminated from subsection (8).
In 1955 c 273 sec. 4 (RCW 74.09.030) temporary matter eliminated.

Chapter 74.10 Disability Assistance

- 74.10.010 Source—1951 c 176 sec. 1.
Presently codified as RCW 74.10.010.
“department of social security” to “department of public assistance”.

- 74.10.020 Source—1953 c 174 sec. 25; 1951 c. 176 sec. 2.
Presently codified at RCW 74.10.020. Explanatory note.
- 74.10.030 Source—1951 c 176 sec. 3.
Presently codified as RCW 74.10.030.
“department of social security” to “department of public assistance”.
- 74.10.070 Source—1957 c 63 sec. 7; 1951 c 176 sec. 7.
Presently codified as RCW 74.10.070.

Chapter 74.11 Vocational Rehabilitation of
Nondisabled

- 74.11.010 through 74.11.900 Source—1955 c 380.

Chapter 74.12 Aid to Dependent Children—Child
Welfare Services

- 74.12.010 Source—1957 c 63 sec. 10; 1953 c 174 sec. 24; 1941 c 242 sec. 1;
1937 c 114 sec. 1.
Presently codified as RCW 74.12.010.
- 74.12.030 Source—1953 c 174 sec. 23; 1941 c 242 sec. 2; 1937 c 114 sec. 4.
Presently codified as RCW 74.12.030.
- 74.12.130 Source—1953 c 174 sec. 44; 1947 c 260 sec. 1; 1941 c 242 sec. 3;
1937 c 114 sec. 6.
Presently codified as RCW 74.12.130.
- (74.12.210 and 74.12.220 are not presented herein for reenactment as they relate to duties of the department of health pertaining to crippled children and will be recodified as part of chapter 43.20 RCW).
- 74.12.230 Source—1937 c 114 sec. 14.
Presently codified as RCW 74.12.230.
“this act” to “this chapter” as the section apparently applies to the entire chapter.
- 74.12.240 Source—1957 c 63 sec. 8.
Presently codified as RCW 74.12.240.

Chapter 74.14 Child Welfare Agencies

- 74.14.010 Source—1955 c 366 sec. 1; 1951 c 270 sec. 2.
Presently codified as RCW 74.14.010.
- 74.14.020 Source—1951 c 270 sec. 3.
Presently codified as RCW 74.14.020.
“this act” to “this chapter” as all provisions of 1951 c 270 relating to child welfare agencies are codified in this chapter. However note that 1951 c 270 sec. 1 which amended 1921 c 43 sec. 1 relating to juvenile courts is codified as RCW 13.04.040 and 1951 c 270 sec. 17 relating to the crime of leaving children unattended in a parked automobile is codified as RCW 9.91.060.
- 74.14.030 Source—1951 c 270 sec. 5.
Presently codified as RCW 74.14.030.
“this act” to “this chapter”, see notes to 74.14.020.
“department of social security” to “department of public assistance”
The last proviso reading “: Provided, That all agencies now approved by the state department of social security shall be deemed to be approved to operate under the provisions of this act for a period of ninety days following its enactment” deleted as temporary.
- 74.14.040 Source—1951 c 270 sec. 4.
Presently codified as RCW 74.14.040.
“this act” to “this chapter”, see note following RCW 74.14.020.
The last proviso reading “: Provided, That all agencies now approved by the department shall be deemed to be approved by the department to operate hereunder for a period of ninety days after the effective date of this act” deleted as temporary.

- Explanatory
note.
- 74.14.050 Source—1951 c 270 sec. 6.
Presently codified as RCW 74.14.050.
“department of social security” to “department of public assistance”.
- 74.14.060 Source—1951 c 270 sec. 7.
Presently codified as RCW 74.14.060.
“department of social security” to “department of public assistance”.
- 74.14.070 Source—1951 c 270 sec. 8.
Presently codified as RCW 74.14.070.
- 74.14.080 Source—1951 c 270 sec. 9.
Presently codified as RCW 74.14.080.
“this act” to “this chapter”, see note following RCW 74.14.020.
- 74.14.090 Source—1951 c 270 sec. 10.
Presently codified as RCW 74.14.090.
- 74.14.100 Source—1951 c 270 sec. 11.
Presently codified as RCW 74.14.100.
“department of social security” to “department of public assistance”.
- 74.14.110 Source—1951 c 270 sec. 12.
Presently codified as RCW 74.14.110.
“this act” to “this chapter”, see note following RCW 74.14.020.
- 74.14.120 Source—1951 c 270 sec. 13.
Presently codified as RCW 74.14.120.
“this act” to “this chapter”, see note following RCW 74.14.020.
- 74.14.130 Source—1951 c 270 sec. 14.
Presently codified as RCW 74.14.130.
“county welfare departments” to “offices of the state department” as the county welfare departments were changed to offices of the department of public assistance by 1953 c 174 sec. 13; RCW 74.04.070.
- 74.14.140 Source—1951 c 270 sec. 15.
Presently codified as RCW 74.14.140.
“department of social security” to “department of public assistance”.
- 74.14.150 Source—1951 c 270 sec. 16.
Presently codified as RCW 74.14.150.
“this act” to “this chapter”, see note following RCW 74.14.020.

Chapter 74.16 Aid to Blind Persons

- 74.16.011 Source—1955 c 379 sec. 2.
Presently codified as RCW 74.16.011.
- 74.16.030 Source—1953 c 174 sec. 21; 1941 c 170 sec. 1; 1937 c 132 sec. 8.
Presently codified as RCW 74.16.030.
- 74.16.040 Source—1953 c 174 sec. 22; 1951 1st ex.s. c 5 sec. 1; 1941 c 170 sec. 2; 1937 c 132 sec. 9.
Presently codified as RCW 74.16.040.
- 74.16.170 Source—1937 c 132 sec. 3.
Presently codified as RCW 74.16.170.
- 74.16.180 Source—1953 c 174 sec. 45; 1949 c 166 sec. 15; 1937 c 132 sec. 4.
Presently codified as RCW 74.16.180.
- 74.16.190 Source—1953 c 174 sec. 46; 1939 c 75 sec. 1; 1937 c 132 sec. 5.
Presently codified as RCW 74.16.190.
- 74.16.200 Source—1949 c 166 sec. 3.
Presently codified as RCW 74.16.200.
“this act” to “RCW 74.16.200 through 74.16.290” as this is a literal translation.

- 74.16.210 Source—1949 c 166 sec. 4. Presently codified as RCW 74.16.210. “this act” to “RCW 74.16.200 through 74.16.290” as this is a literal translation. Explanatory note.
- 74.16.220 Source—1949 c 166 sec. 5. Presently codified as RCW 74.16.220. “county welfare department” to “county office of the state department of public assistance” as the county welfare departments were changed to offices of the state department of public assistance by 1953 c 174 sec. 13; RCW 74.04.070. “this act” to “RCW 74.16.200 through 74.16.290” as this is a literal translation.
- 74.16.230 Source—1949 c 166 sec. 6. Presently codified as RCW 74.16.230.
- 74.16.240 Source—1949 c 166 sec. 7. Presently codified as RCW 74.16.240. “this act” to “RCW 74.16.200 through 74.16.290” as this is a literal translation.
- 74.16.250 Source—1955 c 379 sec. 3; 1949 c 166 sec. 8. Presently codified as RCW 74.16.250.
- 74.16.260 Source—1949 c 166 sec. 9, part. Presently codified as RCW 74.16.260. “this act” to “RCW 74.16.200 through 74.16.290” as this is a literal translation.
- 74.16.270 Source—1949 c 166 sec. 9, part. Presently codified as RCW 74.16.270. “this act” to “RCW 74.16.200 through 74.16.290” as this is a literal translation.
- 74.16.280 Source—1949 c 166 sec. 10. Presently codified as RCW 74.16.280. “department of social security” to “department of public assistance”.
- 74.16.290 Source—1949 c 166 sec. 11. Presently codified as RCW 74.16.290. “department of social security” to “department of public assistance” “this act” to “RCW 74.16.200 through 74.16.290” as this is a literal translation.
- 74.16.296 Source—1949 c 166 sec. 1. Formerly uncodified. “this act” to “RCW 74.16.200 through 74.16.290” as this is a literal translation.
- 74.16.297 Source—1949 c 166 sec. 2. Formerly uncodified. “this act” to “RCW 74.16.200 through 74.16.290” as this is a literal translation.

Chapter 74.98 Construction

- 74.98.010 This section has been added to preserve continuity.
- 74.98.020 This section provides that title, chapter, section and subsection headings are not part of the law.
- 74.98.030 Severability.
- 74.98.040 Source—1951 c 1 sec. 2. This purpose section represents the first sentence of 1951 c 1 sec. 2. The remainder of that section reading “This act recognizes that there are possibilities of serious abuses of such a program whereby those least deserving of public aid will benefit at the expense of the deserving, and of the state and its political subdivisions, and it is intended hereby to make possible sufficient administrative control of the program of assistance to curb or at least minimize such abuses without at the same time depriving qualified applicants and recipients

Explanatory
note.

- of the assistance to which they are rightfully entitled." omitted.
- 74.98.050 Repeals and savings.
The laws set forth in the schedule of repeals were either repealed previously, or are substantially reenacted by this bill. Specifically noted below are certain acts, not previously repealed, which are proposed for repeal without reenactment. The numbers in parentheses correspond to the like numbered subdivisions of the repealer schedule.
- (5) Related to industrial aid to the adult blind. Repealed without reenactment as superseded by 1937 c 132 (chapter 74.16).
 - (6) Relates to emergency relief administration. Expired on May 1, 1935. Repealed without reenactment as no longer in effect.
 - (8) Relates to emergency relief administration bonds. Bonds have been retired. Repealed without reenactment as obsolete.
 - (10) Relates to duties of director of business control as to child welfare agencies. Repealed without reenactment as being superseded by 1951 c 270 (chapter 74.14).
 - (11) Relates to investment of funds not required to retire emergency relief bonds of 1933. Repealed without reenactment as temporary and obsolete.
 - (14) This act carried on emergency relief during the 1935-1937 biennium. Repealed without reenactment as temporary.
 - (16) Relates to organization of the department of social security. Repealed without reenactment as superseded by 1953 c 174 (chapter 43.18).
 - (49) Relates to date for transfer of responsibilities from counties to state department of public assistance and appropriations. Repealed without reenactment as temporary.
- 74.98.060 Emergency clause.