

- (49) Section 77.28.100, chapter 36, Laws of 1955 and RCW 77.28.100;
(50) Section 77.28.110, chapter 36, Laws of 1955 and RCW 77.28.110;
(51) Section 77.28.120, chapter 36, Laws of 1955 and RCW 77.28.120;
(52) Section 19, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.032;
(53) Section 77.32.080, chapter 36, Laws of 1955 and RCW 77.32.080;
(54) Section 21, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.104;
(55) Section 22, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.106;
(56) Section 23, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.111;
(57) Section 24, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.114;
(58) Section 77.32.120, chapter 36, Laws of 1955 and RCW 77.32.120;
(59) Section 25, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.131;
(60) Section 26, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.151;
(61) Section 77.32.185, chapter 36, Laws of 1955 and RCW 77.32.185;
(62) Section 14, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.195;
(63) Section 29, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.201;
(64) Section 31, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.226;
(65) Section 7, chapter 166, Laws of 1971 ex. sess. and RCW 77.32.245; and
(66) Section 77.32.270, chapter 36, Laws of 1955 and RCW 77.32.270.

Passed the House February 22, 1980.

Passed the Senate February 19, 1980.

Approved by the Governor March 7, 1980.

Filed in Office of Secretary of State March 7, 1980.

CHAPTER 79

[House Bill No. 1458]

PUBLIC ASSISTANCE—NURSING HOME RESIDENTS, WAGE RETENTION— PROPERTY TRANSFERS, PRESUMPTION OF PURPOSE

AN ACT Relating to public assistance eligibility; amending section 74.08.025, chapter 26, Laws of 1959 as last amended by section 1, chapter 169, Laws of 1971 ex. sess. and RCW 74.08.025; and amending section 74.08.335, chapter 26, Laws of 1959 as amended by section 330, chapter 141, Laws of 1979 and RCW 74.08.335.

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

Section 1. Section 74.08.025, chapter 26, Laws of 1959 as last amended by section 1, chapter 169, Laws of 1971 ex. sess. and RCW 74.08.025 are each amended to read as follows:

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 or except as an inmate in a public institution who could qualify for federal aid assistance: 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 and institutions for tuberculosis. The department shall allow recipients in nursing homes to retain, in addition to the grant to cover the cost of clothing and incidentals, wages received for work as a part of a training or rehabilitative program designed to prepare the recipient for less restrictive placement to the extent permitted under Title XIX of the federal social security act.

Sec. 2. Section 74.08.335, chapter 26, Laws of 1959 as amended by section 330, chapter 141, Laws of 1979 and RCW 74.08.335 are each amended to read as follows:

~~((Public))~~ Aid to families with dependent children and general 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 the assistance ~~((under this title))~~. ~~((Any person who shall have transferred or shall))~~ There is a rebuttable presumption that a person who has transferred or transfers any real or personal property or any interest in property within two years of the date of application for ~~((public))~~ the assistance without receiving adequate monetary consideration therefor, did so for the purpose of rendering himself eligible for the assistance. Any person who transfers property for the purpose of rendering himself eligible for assistance, or any person who after becoming a recipient transfers any property or any interest in property without the consent of the secretary, 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))~~ the person's needs under normal conditions of living: PROVIDED, That the secretary is hereby authorized to allow exceptions in cases where undue hardship would result from a denial of assistance.

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