

the entry onto the premises was reasonable and necessary for service of the legal process.

- Passed the Senate March 9, 1986.
- Passed the House March 5, 1986.
- Approved by the Governor April 2, 1986.
- Filed in Office of Secretary of State April 2, 1986.

CHAPTER 220

[Engrossed Substitute Senate Bill No. 4659]

COMMUNITY PROPERTY—MEDICAL CARE PROGRAMS—ELIGIBILITY

AN ACT Relating to eligibility determinations for medical care programs; adding a new section to chapter 74.09 RCW; and making an appropriation.

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

NEW SECTION. Sec. 1. A new section is added to chapter 74.09 RCW to read as follows:

(1) An agreement between spouses transferring or assigning rights to future income from one spouse to the other shall be invalid for purposes of determining eligibility for medical assistance or the limited casualty program for the medically needy, but this subsection does not affect agreements between spouses transferring or assigning resources, and income produced by transferred or assigned resources shall continue to be recognized as the separate income of the transferee; and

(2) In determining eligibility for medical assistance or the limited casualty program for the medically needy for a married person in need of institutional care, or care under home and community based waivers as defined in Title XIX of the Social Security Act, if the community income received in the name of the nonapplicant spouse exceeds the community income received in the name of the applicant spouse, the applicant's interest in that excess shall be considered unavailable to the applicant.

NEW SECTION. Sec. 2. There is appropriated from the general fund to the department of social and health services for the biennium ending June 30, 1987, the sum of two million seven hundred nine thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

- Passed the Senate March 8, 1986.
- Passed the House March 4, 1986.
- Approved by the Governor April 2, 1986.
- Filed in Office of Secretary of State April 2, 1986.