

CHAPTER 156.

[H. B. 481.]

SOCIAL SECURITY: DIVISION OF OLD AGE ASSISTANCE.

AN ACT relating to old-age assistance and amending sections 3, 4, 5, 6, 7, 8, 10, 11, 13, 16, 23 and 26 of chapter 182 of the Laws of 1935 (sections 9998-3, 9998-4, 9998-5, 9998-6, 9998-7, 9998-8, 9998-10, 9998-11, 9998-13, 9998-16, 9998-23 and 9998-26 of Remington's Revised Statutes), and repealing sections 18 and 19 of chapter 182 of the Laws of 1935 (sections 9998-18 and 9998-19 of Remington's Revised Statutes).

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

Amends
§ 9998-3 Rem.
Rev. Stat.
(§ 4424-63
P. C.)

SECTION 1. Section 3 of chapter 182 of the Laws of 1935 (section 9998-3 of Remington's Revised Statutes) is hereby amended to read as follows:

Eligibility for
assistance.

Section 3. Old-age assistance shall be given under this act to any person who:

(a) Has attained the age of 65 years: *Provided*, That if the Federal government provides for Federal contribution to state old-age assistance payable to persons of age less than 65 years, then and in that event persons shall be entitled to assistance hereunder at such age as shall be provided in said Federal act;

(b) Has income which is less than three hundred sixty dollars (\$360) per year;

(c) Has been a resident of the State of Washington for at least five years within the ten years immediately preceding his application for old-age assistance;

(d) Is not at the time an inmate of a public institution of a custodial, correctional or curative character, except in the case of temporary medical or surgical care in a hospital;

(e) Has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance;

(f) Is not because of his physical or mental condition in need of continued institutional care.

SEC. 2. Section 4 of chapter 182 of the Laws of 1935 (section 9998-4 of Remington's Revised Statutes) is hereby amended to read as follows:

Amends § 9998-4 Rem. Rev. Stat. (§ 4424-64 P. C.)

Section 4. It shall be the duty of the department of social security to provide adequately for those eligible for old-age assistance under the provisions of this act. The amount and nature of old-age assistance which any such person shall receive, and the manner of providing it, shall be determined by the said department with due regard to the conditions existing in each case; but such assistance together with the applicant's own resources and income shall not be less than the sum of thirty dollars (\$30) per month to each recipient: *Provided*, That in the event Federal participation shall be granted in excess of fifteen dollars (\$15) a month per recipient, the maximum may be increased to twice the amount that may be recovered for each recipient from Federal sources. The old-age assistance may include, among other things, medical and surgical and hospital care and nursing.

Amount and nature of assistance determined.

Minimum, thirty dollars per month.

Medical and surgical care.

SEC. 3. Section 5 of chapter 182 of the Laws of 1935 (section 9998-5 of Remington's Revised Statutes) is hereby amended to read as follows:

Amends § 9998-5 Rem. Rev. Stat. (§ 4424-65 P. C.)

Section 5. A person requesting old-age assistance under this act shall make his application therefor to the department of social security. An inmate of any public institution of a correctional, custodial, or curative character may make an application while in such home or institution, but the assistance, if granted, shall not be paid until after he ceases to be such an inmate. The person requesting an old-age assistance grant may apply in person, or the application may be made by another in his behalf. The application shall be made in writing or reduced to writing, upon standard forms, prescribed and furnished by the department of social security.

Application for assistance.

Inmates of public institutions.

Amends
§ 9998-6 Rem.
Rev. Stat.
(§ 4424-66
P. C.)

SEC. 4. Section 6 of chapter 182 of the Laws of 1935 (section 9998-6 of Remington's Revised Statutes) is hereby amended to read as follows:

Rules and
regulations.

Section 6. The department of social security is hereby authorized to and shall make rules and regulations necessary for the carrying out of the provisions of this act to the end that old-age assistance may be administered uniformly throughout the state, having regard for the varying costs of living in different parts of the state and that the spirit and purpose of this act may be complied with.

Amends
§ 9998-7 Rem.
Rev. Stat.
(§ 4424-67
P. C.)

SEC. 5. Section 7 of chapter 182 of the Laws of 1935 (section 9998-7 of Remington's Revised Statutes) is hereby amended to read as follows:

Investigation.

Section 7. Whenever the department of social security receives an application for an old-age assistance grant, an investigation and record shall be promptly made of the circumstances of the applicant. The object of such investigation shall be to ascertain the facts supporting the application made under this act and such other information as may be required by the rules of the department. The department shall have the power to issue subpoenas for witnesses and compel their attendance and the production of papers and writings and may examine witnesses under oath.

Amends
§ 9998-8 Rem.
Rev. Stat.
(§ 4424-68
P. C.)

SEC. 6. Section 8 of chapter 182 of the Laws of 1935 (section 9998-8, Remington's Revised Statutes) is hereby amended to read as follows:

Determina-
tion of
amount and
nature of
assistance
granted.

Section 8. Upon the completion of its investigation, the department of social security shall decide whether the applicant is eligible for and should receive an old-age assistance grant under this act, the amount of the assistance, the manner of paying or providing it and the date on which the assistance shall begin. The department may make such additional investigation as it may deem necessary, and shall make its decision as to the granting of assis-

tance and the amount and nature of assistance to be granted the applicant as in its opinion is justified and in conformity with the provisions of this act. The department shall notify the applicant of its decision in writing. Such decision shall be subject to a fair hearing, which hearing under the provisions of this section, unless appellant shall otherwise stipulate, shall be held in the county in which the appellant resides and shall be conducted by the director of the department of social security, a duly appointed, qualified and acting supervisor thereof, or by an examiner specially appointed by the director for such purpose. Whenever a hearing is conducted by a supervisor or specially appointed examiner, a transcript of the testimony shall be made and included in the record which shall be submitted to the director for his decision.

Decision
subject to
hearing.

Any appellant, feeling himself aggrieved by the decision of the director in any case, shall have the right of appeal to the superior court of the county of his legal residence, which appeal shall be taken by notice filed with the clerk of the court and served upon the director within thirty (30) days after the decision of the director.

Right of
appeal.

SEC. 7. Section 10 of chapter 182 of the Laws of 1935 (section 9998-10 of Remington's Revised Statutes) is hereby amended to read as follows:

Amends
§ 9998-10
Rem. Rev.
Stat. (§ 4424-
70 P. C.)

Section 10. If the person receiving the old-age assistance is, on the testimony of reputable witnesses, found incapable of taking care of himself or his money, the director of social security may direct the payment of the installments of the old-age assistance to any responsible person or corporation for his benefit.

Recipient
incapable
of taking
care of
himself.

SEC. 8. Section 11 of chapter 182 of the Laws of 1935 (section 9998-11 of Remington's Revised Statutes) is hereby amended to read as follows:

Amends
§ 9998-11
Rem. Rev.
Stat. (§ 4424-
71 P. C.)

Funeral
expenses.

Section 11. On the death of a recipient of old-age assistance, reasonable funeral expenses not exceeding one hundred dollars (\$100) shall be paid by the department of social security if the estate of the deceased is insufficient to pay the same.

SEC. 9. Section 13 of chapter 182 of the Laws of 1935 (section 9998-13 of Remington's Revised Statutes) is hereby amended to read as follows:

Vetoed.

Section 13. If, at any time during the continuance of old-age assistance, the recipient thereof or the husband or wife of the recipient, becomes possessed of any property or income in excess of the amount enjoyed at the time of the granting of the assistance, it shall be the duty of the recipient immediately to notify the department of the receipt and possession of such property or income, and the department may, on inquiry, either cancel the assistance or vary the amount thereof in accordance with income.

SEC. 10. Section 16 of chapter 182 of the Laws of 1935 (section 9998-16 of Remington's Revised Statutes) is hereby amended to read as follows:

Section 16. The department of social security is hereby authorized and directed to make such reports and in such detail as may be required of it to the Federal government. Within ninety (90) days after the close of each calendar year, the department shall make a report to the governor for the preceding year, stating (a) the total number recipients, (b) the amount paid in cash, (c) the total number of applications, (d) the number granted, (e) the number denied, (f) the number canceled during the year, and (g) such other information as may be deemed advisable.

SEC. 11. Section 23 of chapter 182 of the Laws of 1935 (section 9998-23 of Remington's Revised Statutes) is hereby amended to read as follows:

Amends
§ 9998-16
Rem. Rev.
Stat. (§ 4424-
76 P. C.)

Report to
Federal
government.

Amends
§ 9998-23
Rem. Rev.
Stat. (§ 4424-
83 P. C.)

Section 23. The department of social security, for the purpose of administration, shall have power to establish such branch offices and/or appoint such subordinate officers, agencies or employees throughout the state as may be reasonably necessary to carry out the purposes of this act expeditiously and with a minimum of delay to applicants for assistance.

Branch
offices.

SEC. 12. Section 26 of chapter 182 of the Laws of 1935 (section 9998-26 of Remington's Revised Statutes) is hereby amended to read as follows:

Amends
§ 9998-26
Rem. Rev.
Stat. (§ 4424-
66 P. C.)

Section 26. 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.

Federal act.

SEC. 13. Sections 18 and 19 of chapter 182 of the Laws of 1935 (sections 9998-18 and 9998-19 of Remington's Revised Statutes) are hereby repealed.

Statutes
repealed.

Passed the House March 9, 1937.

Passed the Senate March 8, 1937.

Approved by the Governor March 15, 1937, with the exception of section 9, which is vetoed.