

# LAWS OF WASHINGTON

PASSED AT THE

Thirty-Second Regular Session

1951

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## CHAPTER 1.

[ Initiative Measure No. 178 ]

### CITIZENS' SECURITY ACT.

#### BALLOT TITLE

AN ACT modifying the citizens' security act of 1948 (Initiative Measure No. 172) and transferring the public assistance medical program to the department of health.

#### SPONSOR'S TITLE

AN ACT relating to public assistance; defining terms; fixing standards to govern grants of assistance; prescribing qualifications for eligibility to receive assistance; specifying the powers and duties of the department of social security and the department of health in relation thereto; creating a council of medical service and defining its powers and duties; amending sections 3, 4, 5, 15 and 16, chapter 6, Laws of 1949, and further amending said chapter 6, Laws of 1949, by adding thereto a new section to be designated section 3-a.

*Be it enacted by the People of the State of  
Washington:*

SECTION 1. This act shall be known as the "Citizens' Public Assistance Act of 1950." Short title.

SEC. 2. It is the purpose and intent of this act 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. 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 Declaration  
of purpose  
and intent.

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 of the assistance to which they are rightfully entitled.

Amendment. SEC. 3. Section 3, chapter 6, Laws of 1949, is amended to read as follows:

Definitions. Section 3. For the purposes of this act, unless the context indicates otherwise, the following definitions shall apply:

"Department." (a) "Department"—The department of social security.

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

"Recipient." (c) "Recipient"—Any person receiving assistance or currently approved to receive assistance at any future date.

"Income." (d) "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.

"Need." (e) "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.

"Resource." (f) "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 the following described assets shall not be considered as a resource available to meet need during

such time as they are used by an applicant or recipient in the manner and form as follows:

- (1) The home as defined in section 3-a hereof. Home.
- (2) Personal property and belongings as defined in Section 3-a hereof. Personal property.
- (3) Household furnishings and personal clothing used and useful to the person. Household furnishings and clothing.
- (4) An automobile or other form of conveyance if such conveyance is necessary to an applicant or recipient because of a lack of, or an inability to use, public transportation. The department shall have the right by rule and regulation to fix a maximum value on such conveyances. Automobile.
- (5) 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. Cash.
- (6) 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 decreased by the amount of cash held by the person or the family unit under item 5 above. Life insurance.

[Rem. Supp. 1949, § 9998-33c]

SEC. 4. Chapter 6, Laws of 1949, is amended by adding thereto after section 3 a new section, numbered section 3-a, as follows: Amendment.

Section 3-a. No property, either real or personal, shall be considered exempt *per se*, but shall be treated as exempt from consideration as an available resource only during such time and under such conditions as are hereinafter set forth: Property deemed available resource.

(a) "Home"—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 "Home."

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.

"Personal property and belongings."

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

Maximum value and maximum units fixed by rule of department.

The department shall, by rule and regulation, fix maximum values for both a home as defined in paragraph (a) and the personal property and belongings as defined in paragraph (b); and shall also fix maximum units of personal property, regardless of value. If the reasonable value of such home property or personal property and belongings exceeds the maximum values so established or the unit value, then the person owning such property shall be deemed to have a resource available to meet his needs over and above the amount necessary for home ownership or ownership of personal property and belongings, or both, as established by the department, and which can be utilized toward meeting his need by investment, and it shall be deemed that such excess value is capable of producing an income to such person at a return of not less than four per cent per annum. In the computation of income and resources for the purpose of determining need, such person shall be charged with an annual income equal to four per cent of such excess valuation or the actual earnings therefrom, whichever is the greater.

When deemed resource.

Annual income; how charged.

Ceiling values.

The department shall also, by rule and regulation fix ceiling values on both home property and personal property and belongings, and if any applicant for, or recipient of, public assistance possesses home property or personal property and belongings,

or both, of a value in excess of such ceiling values, such person shall be ineligible for public assistance.

Value shall be the current fair market value, less liens and encumbrances of record.

"Value" defined.

Any recipient who shall voluntarily transfer a resource, whether exempt or not, shall be deemed to have available to meet his needs an amount equivalent to the quick sale value of such resource, in the event that the proceeds from such transfer are not re-invested in an exempt resource within a reasonable time. Whenever a resource has been transferred or assigned, it shall no longer be considered exempt, nor shall the proceeds from such transfer or assignment be considered exempt except as above provided.

Transfer of resource, effect.

Upon the transfer of an exempt resource and the re-investment of the proceeds thereof, the department shall not be bound to provide additional or prolonged assistance to meet additional shelter cost incurred by such re-investment except when the plan has been previously approved by the department.

Reinvestment of proceeds.

SEC. 5. Section 4, chapter 6, Laws of 1949, is amended to read as follows:

Amendment.

Section 4. An old age assistance grant shall be awarded to any person who:

Qualifications of old age assistance recipients.

- (a) Has attained the age of sixty-five and
- (b) Has been a resident of the state of Washington for at least five years within the last ten, and
- (c) Is not an inmate of a public institution of a custodial, correctional, or curative character: *Provided*, That this shall not prevent the department from paying a grant to meet the incidental and personal needs of a person who is an inmate of a county hospital or infirmary, and
- (d) Has not made a voluntary assignment or transfer of property or cash for the purpose of qualifying for an old age assistance grant, and
- (e) Is in need.

[Rem. Supp. 1949, § 9998-33d]

**Amendment.** SEC. 6. Section 5, chapter 6, Laws of 1949, is amended to read as follows:

**Basis of grants.** Section 5. Grants shall be awarded on a uniform statewide 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 incidentals.

**Standards of assistance.** The total dollar value of the assistance budget shall, under average conditions, be not less than sixty dollars per month for an individual living alone; but a recipient shall not receive a grant of sixty dollars or more unless his actual requirements amount to sixty 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.

**Total dollar value.** 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 at least semi-annually and new standards of assistance reflecting current living costs shall determine budgets of need.

**Income and resources deducted.** The figure of sixty dollars shall be subject to revision in December of each year, in that the department shall adjust such figure either upward or downward in the amount of one dollar for each three full points of change upward or downward, respectively, occurring subsequent to the index for the month of December, 1950, in the consumers' price index for moderate income families in the city of Seattle, Washington, issued by the bureau of labor statistics

**Living cost studies.**

**Annual revision of total dollar value.**

**How computed.**

of the United States Department of Labor, according to the latest available published statistics covering such index. Any indicated adjustment in standards shall become effective not later than April first of the succeeding year.

Effective  
April 1st.

The standards of assistance shall take into account the economy of family living arrangements, and the department may, by rule and regulation, prescribe maximums for grants on the basis of the size and type of the household unit, which maximums shall be related to average family income in this state. For the establishment of such maximums the department shall make use of all available statistics of the U. S. Census Bureau, the U. S. Department of Labor, and other governmental or research agencies which relate to family income.

Household  
unit as basis.

Use of  
statistics.

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.

Standards  
for  
unemployed  
employables.

[Rem. Supp. 1949, § 9998-33e]

SEC. 7. Section 15, chapter 6, Laws of 1949, is amended to read as follows:

Amendment.

Section 15. (a) On and after the effective date of this amendatory act the state department of health shall be responsible for providing necessary medical, dental and related services to recipients of public assistance and other persons without income and resources sufficient to secure them. Eligibility for such medical service shall be established by the department of social security.

Department  
of health  
to provide  
medical care.

Department  
of social  
security to  
determine  
eligibility.

In providing these services, it is hereby declared to be the intent of this act to carry out the following principles:

Medical care,  
intent of act.

(1) Care shall be equivalent to accepted stand-

Community standards.

ards of medical and dental practice in the community where the eligible individual resides;

Rehabilitation services.

(2) In addition to meeting immediate and acute medical needs, shall provide or utilize available rehabilitation services as far as practicable, to restore or to maintain the individual's capacity for self-reliance;

Disease prevention.

(3) Shall develop and strengthen programs for prevention or early discovery of disease so as to maintain or restore the individual to the maximum of self-reliance;

Public facilities.

(4) Shall make full use of all existing public and free facilities and services;

Auxiliary services.

(5) Shall provide auxiliary services, including hospital and nursing care, ambulance service, drugs, medicines, hearing aids, optical supplies and other appliances in accordance with the plans of the department of health;

Choice of practitioner.

(6) Shall allow the individual as much freedom as practicable in selecting the type of practitioner best able to serve him and if said practitioner has agreed to conform to the rules and regulations prescribed by the state board of health;

Evaluation of unemployables.

(7) Individuals who are classified as unemployable shall be evaluated in terms of partial or complete rehabilitation so as to be self-sustaining insofar as practicable.

Rules and regulations of board of health.

(b) The state board of health shall formulate policies, establish standards and rules and regulations to carry out the purposes of this act. Rules and regulations adopted shall be filed with the secretary of state thirty days prior to their effective date and shall be available to the public at local health departments and the department of social security.

Council of medical service.

(c) To assist and advise the state board of health in formulating policies establishing standards and rules and regulations, there is hereby created a council of medical service. Such council shall con-

sist of twelve members and shall be representative of the major providers of medical services and are to be appointed by the governor and serve at his pleasure.

12 members.

The members of the council shall receive the statutory *per diem* and actual and necessary traveling expenses when engaged in the activities of the council. Such expenses, when approved by the director of health, shall be a charge against the administrative appropriation for this program.

Traveling expenses.

The council shall meet jointly with the state board of health not less than once every four months and oftener if necessary upon the call of the chairman of the state board of health.

(d) The medical service program shall be administered by the director of health, and he may appoint an administrator and such other assistants, and provide for other necessary administrative needs as shall be necessary to carry out the purpose of this act, limited by funds made available by the legislature.

Administration of medical services.

(e) The department of health, in providing medical services, shall have the right to procure them in whole or in any part through any one or any combination of the following methods:

Means of procuring medical services.

(1) By contract with private individuals, organizations and groups;

(2) By the employment of a professional and technical staff;

(3) By a direct payment to vendors on a fee for service basis.

(f) Wherever practical, the department of health shall delegate the administration of the medical service program to local county or district health departments, when it finds that their personnel, facilities, and services meet the standards established by the state board of health and the local health department agrees to comply.

Delegation of administration.

The director of health shall be empowered, when

Medical service districts.

he finds that a local health department cannot meet required standards, to form local medical service districts when agreeable to the county or counties involved, for the purpose of carrying out the administration of the medical service program.

Discretion of local authority.

The local county or district shall determine the most effective and economical method or methods of providing medical services to eligible persons with the approval of the director of health.

Local health officer.

(g) The local health officer shall have supervision over county hospitals and other public institutions utilized in providing medical service to the eligible persons.

The local health department shall make full use of public, free and voluntary facilities and services in the administration of this program.

Medical service program; how financed.

(h) The medical service program shall be financed from funds appropriated to the department of health.

Money shall be made available to the counties or districts on a quarterly basis. Thirty days prior to the beginning of each quarter, the board of county commissioners shall submit a budget outlining the financial needs of the county or district health department or medical service district for the ensuing quarter. This shall be reviewed by the director of health and be altered or approved as he determines necessary to meet the department's or district's needs, taking into consideration available funds.

Each county and district shall operate within its quarterly approved budget unless the director of health determines that an emergency exists justifying an increased allotment.

The director of health shall allocate the total appropriation by legislature so that funds shall be available for the period designated.

(i) All existing records and equipment presently held by the department of social security for the

medical service program is transferred to and shall become the property of the department of health.

[Rem. Supp. 1949, § 9998-33o]

SEC. 8. Section 16, chapter 6, Laws of 1949, is amended to read as follows: Amendment.

Section 16. (a) The provisions of sections 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 shall apply equally in all categories of public assistance. Application of chapter.

(b) The provisions of sections 3, 3-a, and 4 (b), (c), (d), and (e) shall apply in determining eligibility for aid to blind assistance. Aid to the blind.

(c) The provisions of sections 3 and 3-a shall apply in determining eligibility for aid to dependent children assistance. Aid to dependent children.

(d) The provisions of sections 3 and 3-a shall apply in determining eligibility for general assistance to unemployable persons. Unemployable persons.

(e) The provisions of sections 3 (a), (b), (c), (d), and (e) shall apply in determining eligibility for general assistance to unemployed employable persons and emergency general assistance. In the determination of need of applicants for general assistance to unemployed employable persons and emergency 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 residential property and personal property and belongings from consideration as an available resource when such resources are determined to be essential to the applicant or recipient's restoration to independence. Unemployed employables and emergency general assistance.

(f) Any person who has been a resident of the state of Washington for one year and is in need as defined herein, shall be eligible for general assistance: *Provided*, That nothing shall prevent the department from meeting the emergent need of persons who have less than one year's residence in the state, on an emergency basis. General assistance, residence.

Sec. 18,  
ch. 216, L. '39,  
incorporated.

(g) For the purposes of this act the definitions of unemployable persons and unemployed employable persons contained in section 18, chapter 216, Laws of 1939, shall apply.

[Rem. Supp. 1949, § 9998-33p]

Appropriation.

SEC. 9. The legislature shall appropriate such funds as are necessary to carry out the purpose of this act: *Provided*, That any appropriation which the legislature may make for the payment of old age assistance grants shall be specifically earmarked for such purposes: *Provided further*, That when it shall appear that funds available for the payment of assistance will not be sufficient to meet need in full for the balance of a biennium, the department may by rule and regulation put into effect ratable reductions in the amount of assistance to be paid for the ensuing quarter or quarters of such biennium, or such portion of any quarter as may be necessary. Such reductions shall be based on determined need.

Filed in the office of Secretary of State May 5, 1950.

Passed by vote of the people November 7, 1950, at the general election.

Proclamation signed by the Governor December 7, 1950.