

CHAPTER 176.

[S. B. 162.]

ESTABLISHING DISABILITY ASSISTANCE.

AN ACT relating to public assistance, and establishing a new category of federal aid assistance to be known as disability assistance; and declaring an emergency.

Be it enacted by the Legislature of the State Washington:

Disability assistance.

SECTION 1. There is hereby created a new category of federal aid assistance to be known as disability assistance to be administered on a uniform state-wide basis by the state department of social security. The legislature hereby expresses its intention to comply with the federal requirements under the provisions of public law 734 creating a new category of assistance in order to secure federal matching funds for such a program.

Eligibility qualifications.

SEC. 2. Disability assistance grants shall be awarded on an uniform state-wide basis as follows:

(a) To each eligible applicant or recipient for the purposes of assisting him to meet his needs provided that he is:

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

(2) Is 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) Is not concurrently receiving any other type of federal aid assistance, and

(5) Is in need as established by the standards of the state department of social security relating to requirements and resources governing the federal aid categories, and

(6) Is not an inmate of a public institution except as a patient in a medical institution, and

(7) Is not a patient in an institution for tuberculosis or mental disease and is not a patient in a medical institution because of the diagnosis of tuberculosis or psychosis, and

(8) Has not transferred property in order to qualify for assistance, and

(9) Is willing to submit himself to such examinations as are deemed necessary by the state department of social security to establish the extent and nature of his disability.

SEC. 3. In determining the amount of assistance to which an eligible applicant or recipient shall be entitled, the department of social security 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.

Needs of applicant's legal dependents.

SEC. 4. There is hereby created a state-wide plan for the category of disability assistance. It shall be the duty of the state department of social security to serve as a single state agency in the administration of this act and to exercise such supervision and promulgate and enforce such rules and regulations as are necessary to assure full local compliance with the terms of the federal grants.

Created; a state-wide plan for the category of disability assistance.

SEC. 5. The department of social security is hereby designated as the responsible agency for the administration of the aid provided for in this act and it is authorized and directed to formulate in detail and administer the plan established by this act in such manner as allotments or grants from the federal government may be made available by the support of such permanently and totally disabled persons. The details of such plans shall be formulated in such manner as to meet with the approval of the federal agency created or designated to administer federal aid to states providing for aid to disabled persons.

State department of social security to formulate and administer plan.

Approval of federal agency.

Fair hearing.

SEC. 6. Any applicant for or recipient of disability assistance shall have the right to a fair hearing as provided in sections 74.08.070 and 74.08.080, R.C.W., as derived from sections 8 and 9, chapter 6, Laws of 1949.

[R.C.W. 74.08.070 is Rem. Supp. 1949, § 9998-33h, R.C.W. 74.08.080 is Rem. Supp. 1949, § 9998-33i.]

Social and related services authorized.

SEC. 7. 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 act and for most effective use of other resources for rehabilitation and restoration to health and independence. The department of social security shall refer recipients who can be benefited thereby to the appropriate public and private resources for rehabilitation through retraining, restorative services, treatment and therapy.

Rehabilitation.

Medical and dental services.

SEC. 8. Recipients of disability assistance shall be entitled to necessary medical, dental and related services as provided by section 74.08.140, R.C.W., as derived from chapter 1, Laws of 1951.

Emergency.

SEC. 9. This act is necessary for the public health, welfare and safety, and shall take effect immediately.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.