
HOUSE BILL 1598

State of Washington

67th Legislature

2022 Regular Session

By Representatives Abbarno, Boehnke, Corry, Chase, Caldier, Eslick, Graham, Dye, and Stokesbary

Prefiled 12/06/21.

1 AN ACT Relating to the payment of benefit units in the long-term
2 services and supports trust program upon the death of a qualified
3 individual; and adding a new section to chapter 50B.04 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 50B.04
6 RCW to read as follows:

7 (1) Upon the death of a qualified individual, regardless of the
8 qualified individual's status as an eligible beneficiary, the cash
9 value of any unclaimed benefit units attributed to the qualified
10 individual may be transferred as a property interest and distributed
11 to any beneficiary identified by the qualified individual as provided
12 in subsection (2) of this section. If the qualified individual fails
13 to identify a beneficiary, the cash value of any unclaimed benefit
14 must be transferred to the estate of the qualified individual. The
15 cash value of each unclaimed benefit unit is the cash value on the
16 date of the death of the deceased qualified individual.

17 (2) The employment security department, the health care
18 authority, and the department of social and health services shall
19 establish procedures to allow for the transfer of the cash value of
20 any unclaimed benefit units attributed to a deceased qualified

1 individual under subsection (1) of this section. The procedures shall
2 require:

3 (a) The employment security department to identify any person who
4 has paid the premium assessment for at least three years in which the
5 person worked at least 500 hours during each year and provide the
6 person's contact information to the department of social and health
7 services;

8 (b) The department of social and health services to contact
9 persons identified in (a) of this subsection (2) and communicate the
10 requirements for becoming a qualified individual and an explanation
11 that the person may designate a beneficiary to receive the cash value
12 of any unclaimed benefit upon the death of the person in the event
13 that the person meets the qualifications to become a qualified
14 individual under RCW 50B.04.050. The department of social and health
15 services shall send periodic reminders to persons who have not
16 designated a beneficiary. When identifying a beneficiary, the person
17 may also identify a bank account in which the cash value payment may
18 be deposited;

19 (c) The department of social and health services to adopt methods
20 for receiving notices of the death of a qualified individual,
21 verifying the person's death and the person's status as a qualified
22 individual, and verifying the named beneficiary's identity or the
23 identity of the executor or personal representative of the estate of
24 the deceased qualified individual;

25 (d) The health care authority to communicate to the department of
26 social and health services the number of unclaimed benefit units
27 attributed to any deceased qualified individual; and

28 (e) The department of social and health services to calculate the
29 cash value of any unclaimed benefit units attributed to the deceased
30 qualified individual and distribute the payment to the named
31 beneficiary, the identified bank account, or the estate of the
32 deceased qualified individual.

33 (3) The beneficiary identified by the deceased qualified
34 individual or the executor or personal representative of the estate
35 of the deceased qualified individual is responsible for informing the
36 department of social and health services of the death of a qualified
37 individual and for providing any necessary information to the
38 department of social and health services to assist it in performing
39 its functions to disburse the cash value of the unclaimed benefit
40 units. Nothing in this section establishes an affirmative duty for

1 any agency to actively determine the death of the qualified
2 individual prior to notification by the beneficiary identified by the
3 deceased qualified individual or the executor or personal
4 representative of the estate of the deceased qualified individual.

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