

**WAC 182-511-1200 Apple health for workers with disabilities (HWD)—Employment requirements.** This section describes the employment requirements for the basic coverage group (BCG) and the medical improvement group (MIG) for the apple health for workers with disabilities (HWD) program.

(1) For the purpose of the HWD program, employment means a person:

- (a) Gets paid for working;
- (b) Has earnings that are subject to federal income tax; and
- (c) Has payroll taxes taken out of earnings received, unless self-employed.

(2) To qualify for HWD coverage as a member of the BCG, a person must be employed full or part time.

(3) To qualify for HWD coverage as a member of the MIG, a person must be:

- (a) Working at least forty hours per month; and
- (b) Earning at least the local minimum wage as described under section 6 of the Fair Labor Standards Act (29 U.S.C. 206).

(4) For a person who is self-employed, the examples described in the *Social Security Administration Program Operations Manual System (POMS)* provide guidance when determining whether someone meets the HWD work requirements. (See SSA POMS Section SI 00820.200, <http://secure.ssa.gov/poms.nsf/lnx/0500820200>). The guidelines described in POMS for determining the existence of a trade or business may also be used when making this determination. (See SSA POMS Section RS 01802.010, <https://secure.ssa.gov/apps10/poms.nsf/lnx/0301802010>).

[Statutory Authority: RCW 41.05.021, 41.05.160 and 2019 c 70. WSR 19-23-063, § 182-511-1200, filed 11/15/19, effective 1/1/20. WSR 11-24-018, recodified as § 182-511-1200, filed 11/29/11, effective 12/1/11. Statutory Authority: RCW 74.08.090, Section 1902 (a)(10)(A)(ii) of the Social Security Act, and 2001 c 7 § 209(5), Part II. WSR 02-01-073, § 388-475-1200, filed 12/14/01, effective 1/14/02.]