

**WSR 23-17-009**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed August 4, 2023, 10:19 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-12-062.

Title of Rule and Other Identifying Information: The department of social and health services (DSHS) proposes amending WAC 388-436-0050 Determining financial need and benefit amount for CEAP, 388-478-0020 Payment standards for TANF, SFA, and RCA, 388-478-0027 What is the payment standard for pregnant women assistance (PWA)?, 388-478-0033 What are the payment standards for aged, blind, or disabled (ABD) cash assistance?, and 388-478-0035 What are the maximum earned income limits for TANF, SFA, PWA, and RCA?

Hearing Location(s): On September 26, 2023, at 10:00 a.m., virtually via [Microsoft] Teams or call in. Hearings are being held virtually. Please see the DSHS website for the most up-to-date information.

Date of Intended Adoption: Not earlier than September 27, 2023.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, email DSHSRPAURulesCoordinator@dshs.wa.gov, fax 360-664-6185, by September 26, 2023, at 5:00 p.m.

Assistance for Persons with Disabilities: Contact Shelley Tencza, DSHS rules consultant, phone 360-664-6036, fax 360-664-6185, TTY 711 relay service, email Tencza@dshs.wa.gov, by September 12, 2023, at 5:00 p.m.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These amendments will implement an eight percent payment standard increase (effective January 1, 2024) for the temporary assistance for needy families, state family assistance, refugee cash assistance, aged, blind, or disabled, and pregnant women assistance programs, as approved via the 2024-2025 operating budget. Amendments will also update net income limits and allowable benefit amounts for the consolidated emergency assistance program.

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.660, 74.08.090, 74.08A.230.

Statute Being Implemented: ESSB 5187 (chapter 475, Laws of 2023).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DSHS, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Sarah Garcia, P.O. Box 45470, Olympia, WA 98504-5470, 360-522-2214.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. These rules are exempt as allowed under RCW 34.05.328 (5) (b) (vii) which states in part, "this section does not apply to ... rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents..."

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.

Is exempt under RCW 19.85.025(4).

Is exempt under RCW 34.05.328 (5) (b) (vii).

Explanation of exemptions: The proposed amendments do not impact small businesses. They only impact DSHS clients.

Scope of exemption for rule proposal:

Is fully exempt.

August 1, 2023
Katherine I. Vasquez
Rules Coordinator

SHS-4994.2

AMENDATORY SECTION (Amending WSR 22-19-094, filed 9/21/22, effective 10/22/22)

WAC 388-436-0050 Determining financial need and benefit amount for CEAP. (1) To be eligible for the consolidated emergency assistance program (CEAP), the assistance unit's nonexcluded income, minus allowable deductions, must be less than or equal to 90 percent of the temporary assistance for needy families (TANF) payment standard. The net income limit for CEAP assistance units is:

Table with 2 columns: Assistance unit members, Net income limit. Rows 1-10 or more with values like ((375)) 405, ((475)) 513, etc.

(2) The assistance unit's allowable amount of need is the lesser of:

(a) The TANF payment standard, based on assistance unit size, as specified under WAC 388-478-0020; or

(b) The assistance unit's actual emergent need, not to exceed maximum allowable amounts, for the following items:

Need item: Maximum allowable amount by assistance unit size:

Table with 11 columns (1-10 or more) and 3 rows (Food, Shelter, Clothing) showing allowable amounts.

	1	2	3	4	5	6	7	8	9	10 or more
Minor medical care	((214)) <u>231</u>	((273)) <u>295</u>	((338)) <u>365</u>	((397)) <u>429</u>	((458)) <u>495</u>	((516)) <u>557</u>	((603)) <u>651</u>	((665)) <u>718</u>	((736)) <u>795</u>	((800)) <u>864</u>
Utilities	((105)) <u>113</u>	((132)) <u>143</u>	((163)) <u>176</u>	((194)) <u>206</u>	((220)) <u>238</u>	((253)) <u>273</u>	((292)) <u>315</u>	((322)) <u>348</u>	((354)) <u>382</u>	((385)) <u>416</u>
Household maintenance	((76)) <u>82</u>	((97)) <u>105</u>	((121)) <u>131</u>	((140)) <u>151</u>	((163)) <u>176</u>	((185)) <u>200</u>	((214)) <u>231</u>	((235)) <u>254</u>	((255)) <u>275</u>	((277)) <u>299</u>
Job related transportation	((417)) <u>450</u>	((528)) <u>570</u>	((654)) <u>706</u>	((771)) <u>833</u>	((888)) <u>959</u>	((1,009)) <u>1,090</u>	((1,165)) <u>1,258</u>	((1,289)) <u>1,392</u>	((1,416)) <u>1,529</u>	((1,539)) <u>1,662</u>
Child related transportation	((417)) <u>450</u>	((528)) <u>570</u>	((654)) <u>706</u>	((771)) <u>833</u>	((888)) <u>959</u>	((1,009)) <u>1,090</u>	((1,165)) <u>1,258</u>	((1,289)) <u>1,392</u>	((1,416)) <u>1,529</u>	((1,539)) <u>1,662</u>

(3) The assistance unit's CEAP payment is determined by computing the difference between the allowable amount of need, as determined under subsection (2) of this section, and the total of:

- (a) The assistance unit's net income, as determined under subsection (1) of this section and WAC 388-436-0045;
- (b) Cash on hand, if not already counted as income; and
- (c) The value of other nonexcluded resources available to the assistance unit.

(4) The assistance unit is not eligible for CEAP if the amount of income and resources, as determined in subsection (3) of this section, is equal to or exceeds its allowable amount of need.

AMENDATORY SECTION (Amending WSR 21-21-054, filed 10/15/21, effective 11/15/21)

**WAC 388-478-0020 Payment standards for TANF, SFA, and RCA.** The maximum monthly payment standards for temporary assistance for needy families (TANF), state family assistance (SFA), and refugee cash assistance (RCA) assistance units are:

Assistance unit size	Payment standard	Assistance unit size	Payment standard
1	(((\$417)) <u>\$450</u>	6	(((\$1,009)) <u>\$1,090</u>
2	(((\$528)) <u>570</u>	7	(((\$1,165)) <u>1,258</u>
3	(((\$654)) <u>706</u>	8	(((\$1,289)) <u>1,392</u>
4	(((\$771)) <u>833</u>	9	(((\$1,416)) <u>1,529</u>
5	(((\$888)) <u>959</u>	10 or more	(((\$1,539)) <u>1,662</u>

AMENDATORY SECTION (Amending WSR 21-21-054, filed 10/15/21, effective 11/15/21)

**WAC 388-478-0027 What is the payment standard for pregnant women assistance (PWA)?** The payment standard for a PWA cash assistance unit is:

Assistance Unit Size	Payment Standard
1	(((\$417)) <u>\$450</u>

AMENDATORY SECTION (Amending WSR 23-01-057, filed 12/14/22, effective 1/14/23)

**WAC 388-478-0033 What are the payment standards for aged, blind, or disabled (ABD) cash assistance?** (1) The maximum monthly payment standards for aged, blind, or disabled (ABD) cash assistance program assistance units are:

Assistance Unit Size	Payment Standard
1	(((\$417)) <u>\$450</u> )
2	(((\$528)) <u>570</u> )

(2) ABD clothing, personal maintenance, and necessary incidentals (CPI) payment standards are listed in WAC 388-478-0006.

AMENDATORY SECTION (Amending WSR 21-21-054, filed 10/15/21, effective 11/15/21)

**WAC 388-478-0035 What are the maximum earned income limits for TANF, SFA, PWA, and RCA?** To be eligible for temporary assistance for needy families (TANF), state family assistance (SFA), refugee cash assistance (RCA), or ((a)) pregnant women assistance (PWA), a family's gross earned income must be below the following levels:

Number of family members	Maximum earned income level	Number of family members	Maximum monthly earned income level
1	(((\$834)) <u>\$900</u> )	6	(((\$2,018)) <u>\$2,180</u> )
2	(((\$1,056)) <u>1,140</u> )	7	(((\$2,330)) <u>2,516</u> )
3	(((\$1,308)) <u>1,412</u> )	8	(((\$2,578)) <u>2,784</u> )
4	(((\$1,542)) <u>1,666</u> )	9	(((\$2,832)) <u>3,058</u> )
5	(((\$1,776)) <u>1,918</u> )	10 or more	(((\$3,078)) <u>3,324</u> )