

[Statutory Authority: RCW 80.01.040 and 1994 c 251. 95-16-009 (Order R-431, Docket No. A-950021), § 480-146-200, filed 7/20/95, effective 8/20/95; Order R-5, § 480-146-200, filed 6/6/69, effective 10/9/69.]

WAC 480-146-210 Supplemental filings exempt from time limitations. WAC 480-146-200 shall apply to all supplemental applications requesting an order except those which are filed (1) to comply with the provisions of a previous order of the commission, or (2) to obtain authority to modify the terms and conditions under which a previous order of the commission was entered, or (3) to request that technical flaws of a previous order be corrected.

[Statutory Authority: RCW 80.01.040 and 1994 c 251. 95-16-009 (Order R-431, Docket No. A-950021), § 480-146-210, filed 7/20/95, effective 8/20/95; Order R-5, § 480-146-210, filed 6/6/69, effective 10/9/69.]

WAC 480-146-220 Waiver of time limitations. The commission may, in its discretion, waive the provisions of WAC 480-146-200 when required by a genuine emergency. Applicants requesting such a waiver may be required to submit a written statement clearly indicating the nature of the emergency, the reason why emergency relief is needed and the nature and extent of any hardships that may be suffered in the event an order of the commission is not entered on or before a designated date.

[Statutory Authority: RCW 80.01.040 and 1994 c 251. 95-16-009 (Order R-431, Docket No. A-950021), § 480-146-220, filed 7/20/95, effective 8/20/95; Order R-5, § 480-146-220, filed 6/6/69, effective 10/9/69.]

WAC 480-146-230 Reporting of securities transactions. (1) Within thirty days after the issuance of stocks, stock certificates, other evidence of interest or ownership, bonds, notes, or other evidences of indebtedness, each public service company shall file with the commission a letter setting forth the final terms and conditions of the transaction. The final terms and conditions of the issuance of stock under dividend reinvestment and similar employee benefit plans shall only be reported in the annual securities transaction report as set forth in subsection (2) of this section.

(2) By April 1 of each year, every gas company, every electrical company, and every local exchange company serving more than two percent of the access lines in Washington that has issued securities during the prior calendar year, shall file with the commission an annual securities transaction report containing final agreements and describing the use of proceeds and level of expenses for each of the securities transactions for the prior year ended December 31. The report shall contain sufficient detail to determine the individual and collective impact on capital structure and pro forma cost of money for the securities transactions for the prior year ended December 31.

(3) Any public service company not required to file the annual report specified in subsection (2) of this section, shall maintain its records in a way allowing it to provide, upon request of the commission, the information referenced in subsection (2) of this section on an annual basis.

[Statutory Authority: RCW 80.01.040 and 1994 c 251. 95-16-009 (Order R-431, Docket No. A-950021), § 480-146-230, filed 7/20/95, effective 8/20/95.]

Title 484 WAC VETERANS' AFFAIRS, DEPARTMENT OF

Chapters

484-20 State veterans homes.

Chapter 484-20 WAC STATE VETERANS HOMES

WAC

484-20-065

Use of residents' income and resources.

484-20-085

Residents' rights and facility rules.

WAC 484-20-065 Use of residents' income and resources. (1) **Monthly payments.** Each month residents shall pay to the state veterans home all income in excess of the established personal needs allowance. This payment shall be known as the resident contribution as defined in WAC 484-20-010 (5)(c). Department policy establishes the payment due date. The amount paid shall not exceed the private rate for the program/service area in which the resident resides. Subsections (3) and (5) of this section list exceptions.

(2) **Personal needs allowance.**

(a) **Single residents.** If the resident's monthly income equals or exceeds the established personal needs allowance, he/she may retain the established personal needs allowance. If the individual's monthly income is less than the established personal needs allowance, his/her personal needs allowance shall be limited to:

(i) For residents who are Medicaid recipients, the personal needs allowance authorized by the appropriate department of social and health services community service office; or

(ii) For residents who are not Medicaid recipients to the income which he/she receives.

(b) **Married residents, both residing in the state veterans home.** If each individual's income equals or exceeds the established personal needs allowance, each may retain the established personal needs allowance. If one of the individual's monthly income is less than the established personal needs allowance, his/her personal needs allowance shall be limited to:

(i) For residents who are Medicaid recipients, the personal needs allowance authorized by the appropriate department of social and health services community service office; or

(ii) For residents who are not Medicaid recipients, to the income to which he/she has an individual right.

(3) **Exceptions to monthly payments.** (Note: This subsection (3) only applies to residents who are not Medicaid recipients. The department of social and health services makes these types of determinations for residents who are Medicaid recipients in accordance with applicable Medicaid rules.) Residents may be authorized to retain (in addition to their personal needs allowance) the following:

(a) If a resident is on approved rehabilitation leave, monthly income which he/she would be entitled to receive if living in the community.

(b) If a resident is participating in an approved vocational rehabilitation program, the monthly vocational rehabilitation program earnings.

(c) If a resident is participating in a therapeutic employment program and it is documented in his/her plan of care, monthly therapeutic employment earnings; except for Medicaid recipients the amount retained shall not exceed limits established under medical assistance eligibility rules (chapter 388-95 WAC).

(4) Application for benefits/entitlements.

(a) Residents are required to apply for any and all entitlements or benefits as soon as they become eligible.

(b) Agency veterans benefit staff shall assist residents to make application for entitlements and benefits.

(c) Residents who apply for Medicaid and meet medical need requirements but are over the resource limit, shall be advised to seek the necessary assistance (to include legal advice) to reduce their resources. Residents shall be billed at the private rate until Medicaid resource limits are met.

(5) Support of a nonresident spouse.

(a) If a resident is a Medicaid recipient and has a community spouse, the provisions of chapter 388-513 WAC; except where preempted by federal law; shall apply to income and resources.

(b) If a resident is not a Medicaid recipient and has a community spouse, the provisions of chapter 388-513 WAC; except where preempted by federal law; shall be used to determine:

(i) Available and exempt income and resources with regard to eligibility and resident participation;

(ii) Ownership of income and resources; and

(iii) Participation by the community spouse.

(6) Only subsection (4)(a) and (b) of this section applies to residents of the colony at the Washington soldiers home.

(7) Resource limits.

(a) For residents who are Medicaid recipients, resource limits are in accordance with Medicaid rules found at chapter 388-513 WAC.

(b) For residents who are not Medicaid recipients, resource limits shall be established by the facility using the Medicaid resource limit for a single or a married individual; whichever is applicable.

(c) If a resident who is a Medicaid recipient receives or accumulates funds in excess of resource limits in (a) of this subsection, the case shall be referred to the appropriate department of social and health services community service office to adjust the resident contribution and/or determine continuing Medicaid eligibility. If the community service office determines the resident is no longer eligible to receive Medicaid benefits, the resident shall pay at the private rate until Medicaid eligibility is reestablished.

(d) If a resident who is not a Medicaid recipient receives or accumulates funds in excess of resource limits in (b) of this subsection, the resident shall pay at the private rate until accumulated funds are reduced to the resource limit.

(e) Exceptions to the resource limits in (b) of this subsection may be granted on a case-by-case basis if a resident has an approved discharge plan which includes a

goal to reestablish independent community living through either an approved rehabilitation leave or participation in an approved vocational rehabilitation program.

(8) Retroactive, lump sum benefits.

(a) If a Medicaid recipient receives a retroactive, lump sum award of benefits, he/she shall be required to report the award to the appropriate department of social and health services community service office. If the resident continues to be eligible for Medicaid, the community service office will issue a new Medicaid award letter which adjusts the resident contribution if appropriate. If the community service office determines the resident is no longer Medicaid eligible, the award shall be counted as income for the month(s) in which moneys would have been received and the resident shall pay retroactively the resident contribution due from date of admission to date of receipt of the retroactive lump sum award; except the resident contribution will not be collected for those months during which the resident received Medicaid benefits. If the resident's resources still exceed Medicaid resource limits, the resident shall pay at the private rate until Medicaid eligibility is reestablished.

(b) If a resident who is not a Medicaid recipient receives a retroactive lump sum award, the award shall be counted as income for the month(s) in which moneys would have been received and the resident shall pay retroactively the resident contribution due from date of admission to date of receipt of the retroactive lump sum award.

(9) The estate of any individual who is a resident at the time of death will be charged for the balance of any cost of care which the resident did not pay during his/her residency in the state veterans home. The state veterans home shall periodically inform the resident of the total amount of any past due cost of care. For residents who are Medicaid recipients, recovery shall be in accordance with WAC 388-527-2710. For any resident who is not a Medicaid recipient, recovery shall be in accordance with a written agreement made at the time of admission.

(10) Residents and their spouses are required to disclose to the department all income and assets. For Medicaid recipients, disclosure will be accomplished following medical assistance rules. For all other residents, including colony residents at the Washington soldiers home, disclosure will be done at least annually when scheduled by the state veterans home, more frequently as requested by the state veterans home to verify continuing eligibility, or within fourteen days of any change in income and/or assets.

(11) For any partial months of residency the resident's contribution shall apply first.

[Statutory Authority: RCW 43.60A.070 and chapter 72.36 RCW. 95-07-082, § 484-20-065, filed 3/16/95, effective 4/16/95. Statutory Authority: RCW 43.60A.070 and 72.36.120. 94-04-001, § 484-20-065, filed 1/20/94, effective 2/20/94. Statutory Authority: RCW 43.60A.070. 92-17-046, § 484-20-065, filed 8/14/92, effective 9/14/92; 85-20-099 (Order 85-01), § 484-20-065, filed 10/1/85; 80-09-069 (Order 80-01), § 484-20-065, filed 7/17/80; Order 7659, § 484-20-065, filed 7/28/77.]

WAC 484-20-085 Residents' rights and facility rules. All residents and facility staff shall be furnished a copy of the facility's policies regarding resident rights and a copy of chapter 484-20 WAC. Residents receive this information at the time of admission and within fifteen days of any change.

[Statutory Authority: RCW 43.60A.070 and chapter 72.36 RCW. 95-03-053, § 484-20-085, filed 1/12/95, effective 2/12/95. Statutory Authority: RCW 43.60A.070. 92-17-046, § 484-20-085, filed 8/14/92, effective 9/14/92; 85-20-099 (Order 85-01), § 484-20-085, 10/1/85; Order 7659, § 484-20-085, filed 7/28/77.]

Title 490 WAC
WORK FORCE TRAINING AND
EDUCATION COORDINATING
BOARD ALSO VOCATIONAL
REHABILITATION
(SOCIAL AND HEALTH SERVICES,
DEPT. OF)

Chapters

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Chapter 490-500 WAC

VOCATIONAL REHABILITATION AND SERVICES FOR INDIVIDUALS WITH DISABILITIES

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