

Chapter 388-468 WAC

RESIDENCY

WAC

388-468-0005

What are the residency requirements for cash and food programs?

WAC 388-468-0005 What are the residency requirements for cash and food programs? (1) For both cash and food programs, you:

- (a) Must live in Washington state, but not for any specific period of time to be a resident;
- (b) Must not receive comparable benefits from another state or tribe during the same month;
- (c) Are a resident of the state where you are physically located when there is a residency dispute between states; and
- (d) Are not required to live in a permanent dwelling or have a fixed address.

(2) Subsections (3) through (8) of this section apply to cash programs only.

(3) You are a resident if you currently live in Washington state voluntarily and:

- (a) Intend to remain in the state not for a temporary purpose; or
- (b) Entered the state looking for a job or with a job commitment.

(4) A child under age eighteen is a resident of the state where his or her primary custodian is a resident.

(5) You may temporarily leave Washington state for more than one month and continue to receive benefits if you give the department proof of your intent to continue to reside in Washington state.

(6) If you are a former resident of Washington state, you can apply for the aged, blind, or disabled (ABD) cash program while living in another state if:

- (a) Your absence was:
 - (i) Enforced and beyond your control; or
 - (ii) Essential to your welfare and due to your physical or social needs;
- (b) You plan to return to Washington state;
- (c) You intend to maintain a residence in Washington state; and

(d) You live in the United States of America at the time you applied for the ABD cash program.

(7) You are not a resident if you entered Washington state only for medical care.

(8) If you move from another state directly to a nursing facility in Washington state, you do not need to establish residency before entering the facility. You are not considered a resident if you are placed in the nursing facility by another state.

(9) Subsections (10) and (11) of this section apply to basic food programs only.

(10) You are a resident for purposes of the basic food program if you live in Washington state.

(11) You are not required to intend to live permanently in Washington state.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 7 C.F.R. 273.2 and 273.3. WSR 16-19-026, § 388-468-0005, filed 9/13/16, effective 10/14/16; WSR 15-05-010, § 388-468-0005, filed 2/5/15, effective 3/8/15. Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.-055, 74.04.057, 74.04.510, 74.08.090, 74.08A.100, 74.04.770, 74.04.0052, 74.04.655, 74.08.043, 74.08.335, and 2011 1st sp.s. c 36. WSR 12-10-042, § 388-468-0005, filed 4/27/12, effective 6/1/12. Statutory Authority: RCW 74.08.090. WSR 03-20-060, § 388-468-0005, filed 9/26/03, effective 10/27/03. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-468-0005, filed 7/31/98, effective 9/1/98.]