Chapter 388-400 WAC
PROGRAM SUMMARY

Last Update: 7/20/26

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

388-400-0015 General assistance for children—Summary of eligibility requirements. [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-400-0015, filed 7/31/98, effective 9/1/98.] Repealed by WSR 01-03-121, filed 1/22/01, effective 3/1/01. Statutory Authority: RCW 74.04.050, 74.04.057, 2000 2nd sp.s. c 1.

388-400-0020 General assistance for pregnant women—General eligibility requirements. [Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 99-08-050, § 388-400-0020, filed 4/1/99, effective 5/2/99. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-400-0020, filed 7/31/98, effective 9/1/98.] Repealed by WSR 01-07-001, filed 3/7/01, effective 5/1/01. Statutory Authority: RCW 74.04.050, 74.04.057.

388-400-0025 Who is eligible for disability lifeline benefits? [Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.08.090. WSR 11-12-044, § 388-400-0025, filed 5/26/11, effective 6/8/11. Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.51 [74.04.510], 74.08.090, 74.08A.100, 74.04.770, 74.04.0005 [74.04.005], and 2010 c 8. WSR 10-16-096, § 388-400-0025, filed 7/30/10, effective 9/1/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090. WSR 06-13-043, § 388-400-0025, filed 6/15/06, effective 7/17/06. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510 and 2004 c 54. WSR 04-23-027, § 388-400-0025, filed 11/8/04, effective 12/9/04. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090. WSR 04-15-057, § 388-400-0025, filed 7/13/04, effective 8/13/04. Statutory Authority: RCW 74.04.057, 74.08.090. WSR 00-15-017, § 388-400-0025, filed 7/10/00, effective 9/1/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-400-0025, filed 7/31/98, effective 9/1/98.] Repealed by WSR 12-10-042, filed 4/27/12, effective 6/1/12. 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.

388-400-0035 Refugee medical assistance—Summary of eligibility requirements. [Statutory Authority: RCW 74.08.090, 74.04.050, 74.08A.320, and 74.20A.310. WSR 01-13-046, § 388-400-0035, filed 6/14/01, effective 7/1/01. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-400-0035, filed 7/31/98, effective 9/1/98.] Repealed by WSR 13-02-050, filed 12/26/12, effective 1/26/13. Statutory Authority: RCW 41.05.021.

388-400-0045 If I am not eligible for federal benefits through Washington Basic Food program because of my alien status, can I receive state-funded Basic Food? [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.120, and Food and Nutrition Act of 2008, Title 7 Part 273 of the C.F.R. WSR 09-07-054, § 388-400-0045, filed 3/11/09, effective 4/11/09. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 74.04.510. WSR 03-05-028, § 388-400-0045, filed 2/10/03, effective 4/1/03. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-400-0045, filed 7/31/98, effective 9/1/98.] Repealed by WSR 11-02-035, filed 12/29/10, effective 2/1/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.500, 74.04.510, 74.08.090, and 74.08A.120.

WAC 388-400-0005 Who is eligible for temporary assistance for needy families? (1) You can get temporary assistance for needy families (TANF), if you:

(a) Can be in a TANF/SFA assistance unit as allowed under WAC 388-408-0015 through 388-408-0030;

(b) Meet the citizenship/alien status requirements of WAC 388-424-0010;

(c) Live in the state of Washington. A child must live with a caretaker relative, guardian, or custodian who meets the state residency requirements of WAC 388-468-0005;

(d) Do not live in a public institution unless specifically allowed under RCW 74.08.025;

(e) Meet TANF/SFA:

(i) Income requirements under chapter 388-450 WAC;

(ii) Resource requirements under chapter 388-470 WAC; and

(iii) Transfer of property requirements under chapter 388-488 WAC.

(f) Assign your rights to child support as required under WAC 388-422-0005;

(g) Cooperate with the division of child support (DCS) as required under WAC 388-422-0010 by helping them:

(i) Prove who is the father of children applying for or getting TANF or SFA; and

(ii) Collect child support.

(h) Tell us your Social Security number as required under WAC 388-476-0005;

(i) Cooperate in a review of your eligibility as required under WAC 388-434-0005;

(j) Cooperate in a quality assurance review as required under WAC 388-464-0001;

(k) Participate in the WorkFirst program as required under chapter 388-310 WAC;

(l) Report changes of circumstances as required under WAC 388-418-0005; and

(m) Complete a mid-certification review and provide proof of any changes as required under WAC 388-418-0011.

(2) If you apply for TANF, have not received TANF or SFA within the past thirty days, and will be a mandatory WorkFirst participant as described in WAC 388-310-0200 once approved, you must complete a WorkFirst orientation before we approve your application.

(3) If you are an adult, you must have an eligible child living with you or you must be pregnant and meet the requirements of WAC 388-462-0010.

(4) If you are an unmarried pregnant teen or teen parent:

(a) Your living arrangements must meet the requirements of WAC 388-486-0005; and

(b) You must attend school as required under WAC 388-486-0010.

(5) In addition to rules listed in subsection (1) of this section, a child must meet the following rules to get TANF:

(a) Meet the age requirements under WAC 388-404-0005; and

(b) Live in the home of a relative, court-ordered guardian, court-ordered custodian, or other adult acting *in loco parentis* as required under WAC 388-454-0005; or

(c) If the child lives with a parent or other adult relative that provides care for the child, that adult cannot have used up their sixty-month lifetime limit of TANF or SFA cash benefits as defined in WAC 388-484-0005.

(6) You cannot get TANF if you have been:

(a) Convicted of certain felonies and other crimes under WAC 388-442-0010; or

(b) Convicted of unlawful practices to get public assistance under WAC 388-446-0005 or 388-446-0010.

(7) If you are a client in a household which is eligible for a tribal TANF program, you cannot receive state and tribal TANF in the same month.

[Statutory Authority: RCW 41.05.021, 74.04.050, 74.04.055, 74.04.057, 74.08.025, 74.08.090, 74.09.035, 74.09.530, 74.62.030, chapters 74.08A, and 74.12 RCW. WSR 20-05-046, § 388-400-0005, filed 2/13/20,

effective 3/15/20. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.62.030, 74.09.035, 74.08.090, 74.09.530, 41.05.021, 2011 1st sp.s. c 15, and 2013 2nd sp.s. c 10. WSR 14-10-046, § 388-400-0005, filed 4/30/14, effective 6/1/14. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.025, 74.08.090, chapters 74.08A and 74.12 RCW, and 2011 c 42. WSR 11-22-042, § 388-400-0005, filed 10/27/11, effective 12/1/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090. WSR 06-13-043, § 388-400-0005, filed 6/15/06, effective 7/17/06. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090. WSR 05-14-100, § 388-400-0005, filed 6/30/05, effective 7/31/05. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510 and 2004 c 54. WSR 04-23-027, § 388-400-0005, filed 11/8/04, effective 12/9/04. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090. WSR 04-15-057, § 388-400-0005, filed 7/13/04, effective 8/13/04. Statutory Authority: RCW 74.04.050, 74.04.057, 2000 2nd sp.s. c 1. WSR 01-03-121, § 388-400-0005, filed 1/22/01, effective 3/1/01. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.510. WSR 00-05-007, § 388-400-0005, filed 2/4/00, effective 3/6/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-400-0005, filed 7/31/98, effective 9/1/98.]

(Effective until October 1, 2026)

WAC 388-400-0010 Who is eligible for state family assistance? (1) To be eligible for state family assistance (SFA), applicants must meet Washington state residency requirements as listed in WAC 388-468-0005 and immigrant eligibility requirements as listed in WAC 388-424-0015.

(2) You are eligible for SFA if you are not eligible for temporary assistance for needy families (TANF) for the following reasons:

(a) You are a qualified alien and have been in the United States for less than five years as described in WAC 388-424-0006;

(b) You are a nonqualified alien as defined in WAC 388-424-0001, who meets the Washington state residency requirements as listed in WAC 388-468-0005;

(c) You are a 19 or 20 year old student that meets the education requirements of WAC 388-404-0005;

(d) You are a caretaker relative of a 19 or 20 year old student that meets the education requirements of WAC 388-404-0005;

(e) You are a pregnant woman who has been convicted of misrepresenting their residence in order to receive benefits from two or more states at the same time; or

(f) You do not meet citizenship or immigration status requirements in WAC 388-424-0010 and you are a survivor of certain crimes as defined in WAC 388-424-0001(4).

(3) You and the other TANF eligible members of your assistance unit may receive, at the department's discretion, SFA rather than TANF if:

(a) You are otherwise eligible for TANF as a parent; and

(b) Another parent in your assistance unit is eligible for TANF or SFA; and

(c) One of the following conditions exists:

(i) You or the other parent in your assistance unit is pregnant; or

(ii) Your assistance unit includes a child under 12 months of age.

(4) If you apply for SFA, have not received SFA within the past 30 days, and will be a mandatory WorkFirst participant as described in WAC 388-310-0200 once approved, you must complete a WorkFirst orientation before we approve your application.

[Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.820, 74.08.090, 74.08A.120, 74.09.035. WSR 22-02-014, § 388-400-0010, filed 12/27/21, effective 2/1/22. Statutory Authority: RCW 74.04.050, 74.08.283, 74.08.090, and 74.04.057. WSR 16-02-028, § 388-400-0010, filed 12/29/15, effective 2/1/16. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.62.030, 74.09.035, 74.08.090, 74.09.530, 41.05.021, 2011 1st sp.s. c 15, and 2013 2nd sp.s. c 10. WSR 14-10-046, § 388-400-0010, filed 4/30/14, effective 6/1/14. Statutory Authority: RCW 74.04.050, 74.04.057, and 74.08.090. WSR 11-16-056, § 388-400-0010, filed 7/29/11, effective 8/29/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.025, 74.08.090 and 21 U.S.C. 862a (d)(1)(A). WSR 05-21-100, § 388-400-0010, filed 10/18/05, effective 11/18/05. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090. WSR 04-15-057, § 388-400-0010, filed 7/13/04, effective 8/13/04. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.510. WSR 00-05-007, § 388-400-0010, filed 2/4/00, effective 3/6/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-400-0010, filed 7/31/98, effective 9/1/98.]

(Effective October 1, 2026)

WAC 388-400-0010 Who is eligible for state family assistance? (1) To be eligible for state family assistance (SFA), applicants must meet Washington state residency requirements as listed in WAC 388-468-0005 and immigrant eligibility requirements as listed in WAC 388-424-0015.

(2) You are eligible for SFA if you are not eligible for temporary assistance for needy families (TANF) for the following reasons:

(a) You are a qualified alien and have been in the United States for less than five years as described in WAC 388-424-0006;

(b) You are a nonqualified alien as defined in WAC 388-424-0001, who meets the Washington state residency requirements as listed in WAC 388-468-0005;

(c) You are a 19 or 20 year old student that meets the education requirements of WAC 388-404-0005;

(d) You are a caretaker relative of a 19 or 20 year old student that meets the education requirements of WAC 388-404-0005;

(e) You are a pregnant woman who has been convicted of misrepresenting their residence in order to receive benefits from two or more states at the same time; or

(f) You do not meet citizenship or immigration status requirements in WAC 388-424-0010 and you are a survivor of certain crimes as defined in WAC 388-424-0001(4).

(3) You and the other TANF eligible members of your assistance unit may receive, at the department's discretion, SFA rather than TANF if:

(a) You are otherwise eligible for TANF as a parent; and

(b) Another parent in your assistance unit is eligible for TANF or SFA.

(4) If you apply for SFA, have not received SFA within the past 30 days, and will be a mandatory WorkFirst participant as described in WAC 388-310-0200 once approved, you must complete a WorkFirst orientation before the department approves your application.

[Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.820, 74.08.090, 74.08A.120, 74.09.035, and 2026 c 268. WSR 26-15-096, s 388-400-0010, filed 7/20/26, effective 10/1/26. Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.820, 74.08.090, 74.08A.120, 74.09.035. WSR 22-02-014, § 388-400-0010, filed 12/27/21, effective 2/1/22. Statutory Authority: RCW 74.04.050, 74.08.283, 74.08.090, and 74.04.057. WSR 16-02-028, § 388-400-0010, filed 12/29/15, effective 2/1/16. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.62.030, 74.09.035, 74.08.090, 74.09.530, 41.05.021, 2011 1st sp.s. c 15, and 2013 2nd sp.s. c 10. WSR 14-10-046, § 388-400-0010, filed 4/30/14, effective 6/1/14. Statutory Authority: RCW 74.04.050, 74.04.057, and 74.08.090. WSR 11-16-056, § 388-400-0010, filed 7/29/11, effective 8/29/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.025, 74.08.090 and 21 U.S.C. 862a (d)(1)(A). WSR 05-21-100, § 388-400-0010, filed 10/18/05, effective 11/18/05. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090. WSR 04-15-057, § 388-400-0010, filed 7/13/04, effective 8/13/04. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.510. WSR 00-05-007, § 388-400-0010, filed 2/4/00, effective 3/6/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-400-0010, filed 7/31/98, effective 9/1/98.]

WAC 388-400-0030 Who is eligible for refugee cash assistance? (1) To be eligible for refugee cash assistance (RCA), you must:

(a) Provide the name of the resettlement agency which resettled you, if you are a refugee;

(b) Meet the immigration status requirements of WAC 388-466-0005;

(c) Meet employment and training requirements of WAC 388-466-0150;

(d) Meet income and resource requirements of WAC 388-466-0140; and

(e) Report changes of circumstances as required under WAC 388-418-0005.

(2) You are not eligible to receive RCA if you:

(a) Are eligible for temporary assistance for needy families (TANF);

(b) Have been denied TANF or have been terminated from TANF due to intentional noncompliance with TANF eligibility requirements; or

(c) Are a full-time student in an institution of higher education.

(3) We determine your eligibility and benefit level for RCA using the TANF payment standards under WAC 388-478-0020.

(4) If you meet the requirements of this section, you may receive refugee cash assistance for the eligibility period as determined by the director of the federal office of refugee resettlement (ORR) in accordance with 45 C.F.R. § 400.211(b). You may begin receiving RCA from the date that you qualify for federal refugee services through ORR (WAC 388-466-0120). Although your eligibility period for RCA be-

gins on the date that you qualify for ORR services, the actual length of time that you receive RCA benefits will depend on the date you apply and are approved for RCA. Therefore, you may receive less than the available months of benefits.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.120, 74.08A.250, and 45 C.F.R. s 400.211. WSR 25-20-049, s 388-400-0030, filed 9/25/25, effective 10/26/25. Statutory Authority: RCW 41.05.021, 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.770, 74.04.805, 74.04.820, 74.08.090, 74.08A.100, 74.08A.120, 74.09.035, 74.09.530, 74.62.030, P.L. 118-42, the Consolidated Appropriations Act of 2024, Division G, Title II, Section 209(f); 8 U.S.C. §§ 1612, 1613 (b)(3) and 1641 (b)(8); H.R. 815, Division B pg. 11 - Ukrainian; and Final Rule for Classification for Victims of Severe Forms of Trafficking in Persons. WSR 25-08-068, s 388-400-0030, filed 4/1/25, effective 5/2/25. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.120, and 45 C.F.R. § 400.211 and ORR P.L. 22-12. WSR 23-02-032, § 388-400-0030, filed 12/28/22, effective 1/28/23. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057. WSR 04-19-135, § 388-400-0030, filed 9/21/04, effective 10/22/04. Statutory Authority: RCW 74.08.090, 74.04.050, 74.08A.320, and 7 C.F.R. § 400.65, § 400.66, § 400.67, § 400.68, and § 400.69. WSR 02-09-051, § 388-400-0030, filed 4/12/02, effective 5/13/02. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 74.08.090. WSR 01-06-031, § 388-400-0030, filed 3/2/01, effective 4/1/01; WSR 98-16-044, § 388-400-0030, filed 7/31/98, effective 9/1/98.]

WAC 388-400-0040 Am I eligible for benefits through the Washington Basic Food program? The Washington Basic Food program (Basic Food) is a federally funded nutrition program to help low-income individuals and families buy food and obtain employment. This rule is a summary of the rules for Basic Food.

(1) When you apply for Basic Food, we decide who is in your assistance unit (AU) based on the requirements under WAC 388-408-0034 and 388-408-0035.

(2) To be eligible for Basic Food benefits, your AU must meet the eligibility requirements of:

(a) The most current version of the Food and Nutrition Act of 2008;

(b) Federal regulations adopted by the U.S. Department of Agriculture, Food and Nutrition Services (FNS) related to the supplemental nutrition assistance program (SNAP); and

(c) Standards FNS publishes each year for income limits, resource limits, income deductions, and benefit amounts for SNAP.

(3) To be eligible for Basic Food benefits, each AU member must:

(a) Meet the citizenship or alien status requirements of WAC 388-424-0020.

(b) Be a resident of the state of Washington as required under WAC 388-468-0005;

(c) Give us their Social Security number as required under WAC 388-476-0005;

(d) Give us proof of identity as required under WAC 388-490-0005;

(e) Meet the Basic Food work requirements under chapter 388-444 WAC; and

(f) Meet the eligibility criteria for strikers as described under WAC 388-480-0001.

(4) To be eligible for Basic Food, your AU must:

(a) Have total monthly income before taxes and deductions at or under the gross monthly income standard under WAC 388-478-0060. We don't use income that isn't counted under WAC 388-450-0015 as part of your AU's gross monthly income;

(b) Have net income at or under the net monthly income standard under WAC 388-478-0060. We subtract deductions allowed under WAC 388-450-0185 to determine your AU's net monthly income.

(c) Have resources we must count under WAC 388-470-0055 that are at or below your AU's resource limit under WAC 388-470-0005;

(d) Report changes of circumstances as required under WAC 388-418-0005; and

(e) Complete a mid-certification review and provide proof of any changes if required under WAC 388-418-0011.

(5) If your AU is categorically eligible for Basic Food under WAC 388-414-0001, your AU can have income over the gross or net income standard, and have resources over the resource limit and still be eligible for benefits.

(6) If your AU has income at or under the gross income standard or is categorically eligible for Basic Food, we determine if you are eligible for Basic Food and calculate your monthly benefits as described under WAC 388-450-0162.

(7) If an eligible person in your AU is elderly or disabled, some rules may help your AU to be eligible for Basic Food or to receive more Basic Food benefits. These include:

(a) Resources limits and excluding certain resources under chapter 388-470 WAC;

(b) An excess shelter deduction over the limit set for AUs without an elderly or disabled individual under WAC 388-450-0190;

(c) A deduction for a portion of the out-of-pocket medical expenses for the elderly or disabled individual as described under WAC 388-450-0200; and

(d) Being exempt from the **gross monthly income** standard under WAC 388-478-0060.

(8) For Basic Food, **elderly** means a person who is age 60 or older;

(9) For Basic Food, **disabled** means a person who:

(a) Receives SSI;

(b) Receives disability payments or blindness payments under Title I, II, XIV, or XVI of the Social Security Act;

(c) Receives disability retirement benefits from a state, local, or federal government agency because of a disability considered permanent under section 221(i) of the Social Security Act;

(d) Receives state general assistance benefits based on blindness or disability criteria under chapter 388-449 WAC;

(e) Receives disability benefits from the Railroad Retirement Act under sections 2 (a)(1)(iv) and (v) and:

(i) Meets Title XIX disability requirements; or

(ii) Is eligible for medicare.

(f) Receives disability-related medical assistance under Title XIX of the Social Security Act;

(g) Is a veteran and receives disability payments based on 100% disability;

(h) Is a spouse of a veteran and:

(i) Either needs an attendant or is permanently housebound; or

(ii) Has a disability under section 221(i) of the Social Security Act and is eligible for death or pension payments under Title 38 of the U.S.C..

(10) If a person in your household attends an institution of higher education and does not meet the requirements to be an eligible student under WAC 388-482-0005, we do not count this person as a member of your AU under WAC 388-408-0035.

(11) If your AU currently receives food benefits under WASHCAP or lives on or near an Indian reservation and receives benefits from a tribal food distribution program approved by FNS, your AU is not eligible for food assistance benefits through the Washington Basic Food program.

(12) If a person in your AU is ineligible for any of the following reasons, we count the ineligible person's income as described under WAC 388-450-0140:

(a) Able-bodied adults without dependents who are no longer eligible under WAC 388-444-0030;

(b) Persons fleeing a felony prosecution, conviction, or confinement under WAC 388-442-0010;

(c) Persons who do not attest to citizenship or alien status as defined in WAC 388-424-0001;

(d) Persons who are ineligible aliens under WAC 388-424-0020;

(e) Persons disqualified for an intentional program violation under WAC 388-446-0015;

(f) Persons who do not provide a Social Security number when required under WAC 388-476-0005; or

(g) Persons who failed to meet work requirements under chapter 388-444 WAC.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120, and 7 C.F.R. 273.24 (c)(7) and (8). WSR 25-15-022, s 388-400-0040, filed 7/7/25, effective 8/7/25. Statutory Authority: RCW 74.04.005, 74.04.500, 74.04.510, 74.04.515, 74.08A.120, and 7 C.F.R. 271.2. WSR 15-19-099, § 388-400-0040, filed 9/17/15, effective 10/18/15. Statutory Authority: RCW 74.04.005, 74.04.500, 74.04.510, 74.04.515, 74.08.090, and 74.08A.120. WSR 12-18-024, § 388-400-0040, filed 8/27/12, effective 9/27/12. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.500, 74.04.510, 74.08.090, and 74.08A.120. WSR 11-02-035, § 388-400-0040, filed 12/29/10, effective 2/1/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.120, and Food and Nutrition Act of 2008, Title 7 Part 273 of the C.F.R. WSR 09-07-054, § 388-400-0040, filed 3/11/09, effective 4/11/09. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090. WSR 06-13-043, § 388-400-0040, filed 6/15/06, effective 7/17/06. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, and 2004 c 54. WSR 04-21-025, § 388-400-0040, filed 10/13/04, effective 11/13/04. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090. WSR 04-15-057, § 388-400-0040, filed 7/13/04, effective 8/13/04. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, and 2004 c 54. WSR 04-14-040, § 388-400-0040, filed 6/29/04, effective 7/30/04. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 74.04.510. WSR 03-05-028, § 388-400-0040, filed 2/10/03, effective 4/1/03. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-400-0040, filed 7/31/98, effective 9/1/98.]

WAC 388-400-0047 What is the heat and eat program and are you eligible? (1) What is the heat and eat program?

(a) The heat and eat program is an energy assistance program for certain assistance units (AUs) that receive basic food, Washington combined application project (WASHCAP), or the food assistance program for legal immigrants (FAP).

(b) AUs in the heat and eat program that receive federal basic food benefits are issued $20.01 in federal low-income home energy assistance program (LIHEAP) benefits if they meet the requirements in subsection (3) of this section. This benefit makes the AU eligible for the standard utility allowance (SUA) under WAC 388-450-0195 for 12 months. AUs that receive state-funded FAP benefits and meet the requirements in subsection (3) of this section qualify for the SUA when calculating basic food eligibility but do not receive the LIHEAP payment.

(2) If you receive WASHCAP, you will get LIHEAP and your AU is eligible for the SUA under WAC 388-450-0195 for 12 months.

(3) Is your AU eligible for heat and eat?

Your AU is eligible for heat and eat if you meet all of the following:

(a) The AU contains an elderly or disabled member, as defined in WAC 388-400-0040;

(b) You receive at least one dollar in basic food or FAP benefits prior to any recoupments;

(c) Your basic food or FAP AU includes at least one U.S. citizen or qualified alien as defined under WAC 388-424-0001 and required by 8 U.S.C. Sec. 1611 (a)(1);

(d) You do not receive transitional food assistance under WAC 388-489-0005;

(e) You are not eligible for SUA under WAC 388-450-0195 because you do not have out-of-pocket costs for heating or cooling;

(f) You have not received a regular LIHEAP benefit amount of more than $20.00 in the past 12 months;

(g) You have not received a LIHEAP payment within the last 12 months from a community agency contracted with the department of commerce; and

(h) You do not receive the maximum allotment for your AU size under WAC 388-478-0060 without using the SUA.

(4) How do you receive heat and eat?

(a) If you are eligible for a heat and eat payment, we deposit the cash benefit on your EBT card.

(b) The heat and eat program provides a single payment to eligible households once every 12 months.

(c) Eligibility for heat and eat is renewed annually.

(5) How do you apply for heat and eat?

(a) Heat and eat doesn't have an application process.

(b) We will determine if your food program AU is eligible to receive heat and eat and automatically provide the benefit to you if you qualify.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.300, 74.04.500, 74.04.510, 74.04.515, 74.08.090, 74.08A.010, 74.08A.120, 74.08A.903, 82.08.0206, and H.R.1 (P.L. 119-21). WSR 26-13-005, s 388-400-0047, filed 6/3/26, effective 7/4/26. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.515, 74.08.090, 74.04.500, 74.08A.010, 74.08A.903 and P.L. 110-246, 7 U.S.C. as amended by P.L. 113-79. WSR 17-09-008, § 388-400-0047, filed 4/6/17, ef-

fective 5/7/17. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.515, 74.08.090, 74.04.500, 74.08A.010, 74.08A.903, and P.L. 110-246, 7 U.S.C. as amended by P.L. 113-79 and 7 C.F.R. 273. WSR 16-24-050, § 388-400-0047, filed 12/1/16, effective 1/1/17. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.515, 74.08.090, 74.04.500, 74.08A.010, 74.08A.903, and P.L. 110-246, 7 U.S.C. as amended by P.L. 113-79. WSR 14-22-076, § 388-400-0047, filed 11/3/14, effective 1/1/15.]

WAC 388-400-0050 If I am not eligible for federal benefits through Washington Basic Food program because of my alien status, can I receive benefits through the state-funded food assistance program? (1) If you are not eligible for federally funded Basic Food benefits solely because you do not meet the alien status requirements under WAC 388-424-0020, you may be eligible for the state-funded food assistance program (FAP) if you meet both of the following requirements:

(a) You are a Washington state resident; and

(b) You meet the alien status requirements under WAC 388-424-0030.

(2) FAP follows the same eligibility rules as federally funded Basic Food except for rules related to alien status. A summary of the rules for Basic Food is found in WAC 388-400-0040.

(3) Benefits for FAP are set by the biennial state operating budget as described in RCW 74.08A.120(3). These benefits are calculated as described in subsections (4) and (5) of this section.

(4) If your assistance unit (AU) includes both people who are eligible for federally funded Basic Food benefits and people who are eligible for state-funded FAP benefits, we determine the amount of your federal and state food benefits by applying the following process:

(a) We calculate your AU's monthly benefits under WAC 388-450-0162 **as if** all the eligible persons in your AU could receive federally funded Basic Food benefits; and

(b) We then calculate your AU's monthly benefits under WAC 388-450-0162 for only the people in your AU **who are** eligible for federally funded benefits.

If (a) is more than (b)	If (b) is more than (a)
Your AU receives: • Basic Food benefits in the amount calculated using step (b); and • FAP benefits equal to the difference between (a) and (b), rounded down to the next whole dollar.	Your AU receives Basic Food benefits in the amount calculated using step (b).

(5) If your AU only includes persons eligible for FAP, we determine the amount of your state-funded FAP benefits by:

(a) Applying the calculation for Basic Food under WAC 388-450-0162 **as if** all the persons in your AU were eligible to receive Basic Food; and

(b) Issuing FAP benefits to your AU equal to the amount calculated in subsection (5)(a), rounded down to the next whole dollar.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.120, and 2015 c 4 3rd sp.s. WSR 15-23-096, §

388-400-0050, filed 11/17/15, effective 12/18/15. Statutory Authority: RCW 74.04.005, 74.04.500, 74.04.510, 74.04.515, 74.08.090, 74.08A.120, and 2013 c 4 2nd sp.s. WSR 14-02-037, § 388-400-0050, filed 12/23/13, effective 1/23/14. Statutory Authority: RCW 74.04.005, 74.04.500, 74.04.510, 74.04.515, 74.08.090, and 74.08A.120. WSR 12-18-024, § 388-400-0050, filed 8/27/12, effective 9/27/12.]

WAC 388-400-0055 Who is eligible for the pregnant women assistance (PWA) program? (1) The pregnant women assistance (PWA) program provides a state-funded cash stipend and a referral to the housing and essential needs (HEN) program under WAC 388-400-0065 to eligible low-income individuals. A referral to the HEN program is valid for twenty-four consecutive months from the date the department determines PWA eligibility.

(2) You can get pregnant women assistance (PWA), if you:

(a) Are pregnant as verified by a medical professional;

(b) Meet the citizenship and alien status requirements of WAC 388-424-0010;

(c) Live in the state of Washington per WAC 388-468-0005;

(d) Do not live in a public institution unless specifically allowed under RCW 74.08.025;

(e) Meet TANF and SFA:

(i) Income requirements under chapter 388-450 WAC;

(ii) Resource requirements under chapter 388-470 WAC; and

(iii) Transfer of property requirements under chapter 388-488 WAC.

(f) Tell us your Social Security number as required under WAC 388-476-0005;

(g) Report changes of circumstances as required under WAC 388-418-0005; and

(3) If you are an unmarried pregnant minor your living arrangements must meet the requirements of WAC 388-486-0005.

(4) You cannot get PWA if you:

(a) Are eligible for temporary assistance for needy families (TANF) benefits;

(b) Are eligible for state family assistance (SFA) benefits;

(c) Refuse or fail to meet a TANF or SFA eligibility rule;

(d) Refuse or fail to participate in drug or alcohol treatment as required in WAC 388-449-0220 without good cause; or

(e) Are eligible for supplemental security income (SSI) benefits.

[Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.04.805, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.62.030, and 2020 c 322. WSR 20-19-006, § 388-400-0055, filed 9/3/20, effective 10/4/20. 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, § 388-400-0055, filed 4/27/12, effective 6/1/12.]

WAC 388-400-0060 Who is eligible for aged, blind, or disabled (ABD) cash assistance? (1) The aged, blind, or disabled (ABD) cash assistance program provides a state-funded cash stipend and a referral to the housing and essential needs (HEN) program under WAC 388-400-0065 to eligible low-income individuals.

(2) You are eligible for ABD if you:

(a) Are:

(i) At least 65 years old;

(ii) Blind as defined by the Social Security Administration (SSA); or

(iii) Likely to be disabled as defined in WAC 388-449-0001 through 388-449-0100; and

(b) Are at least 18 years old or, if under 18, a member of a married couple;

(c) Are in financial need according to ABD cash income and resource rules in chapters 388-450, 388-470, and 388-488 WAC. We determine who is in your assistance unit according to WAC 388-408-0060;

(d) Have countable income, as defined in WAC 388-450-0162, at or below the monthly income limits defined in WAC 388-478-0090;

(e) Meet the citizenship and alien status requirements under WAC 388-424-0015;

(f) Provide a Social Security number as required under WAC 388-476-0005;

(g) Reside in the state of Washington as required under WAC 388-468-0005;

(h) Sign an interim assistance reimbursement authorization agreeing to repay the monetary value of general assistance, disability lifeline, or aged, blind, or disabled benefits subsequently duplicated by supplemental security income benefits as described under WAC 388-449-0200, 388-449-0210, and 388-474-0020; and

(i) Report changes of circumstances as required under WAC 388-418-0005.

(3) You aren't eligible for ABD if you:

(a) Are eligible for temporary assistance for needy families (TANF) benefits;

(b) Are eligible for state family assistance (SFA) benefits;

(c) Refuse or fail to meet a TANF or SFA eligibility rule;

(d) Refuse or fail to pursue federal aid assistance, including but not limited to medicaid, without good cause;

(e) Refuse or fail to participate in drug or alcohol treatment as required in WAC 388-449-0220 without good cause;

(f) Refuse or fail to follow through with the SSI application as required in WAC 388-449-0200 without good cause;

(g) Refuse or fail to participate in vocational rehabilitation services as required in WAC 388-449-0225 without good cause;

(h) Are eligible for supplemental security income (SSI) benefits;

(i) Are an ineligible spouse of an SSI recipient; or

(j) Failed to follow a Social Security Administration (SSA) program rule or application requirement and SSA denied or terminated your benefits.

(4) If you reside in a public institution, as defined in WAC 182-500-0050, and meet all other requirements, your eligibility for ABD depends on the type of institution.

(a) You may be eligible for ABD if you are a patient in a public institution.

(b) You aren't eligible for ABD if you are in the custody of or confined in a public correctional facility such as a state prison, or city, county, or tribal jail including placement in a work release program.

[Statutory Authority: RCW 74.04.005, 74.04.0052, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.04.805, 74.08.025,

74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.62.030, and 2022 c 297 § 205(22). WSR 23-01-057, § 388-400-0060, filed 12/14/22, effective 1/14/23. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.08.025, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.09.530, 74.62.030, and 2022 c 297 § 205(21). WSR 22-17-080, § 388-400-0060, filed 8/17/22, effective 9/17/22. Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.04.805, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.62.030, and 2020 c 322. WSR 20-19-006, § 388-400-0060, filed 9/3/20, effective 10/4/20. Statutory Authority: RCW 74.04.050, 74.040.055 [74.04.055], 74.04.057, 74.08.090, and 2018 c 48. WSR 18-18-007, § 388-400-0060, filed 8/23/18, effective 9/23/18. Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.100, 74.04.770, 74.62.030, and 2013 2nd sp.s. c 10. WSR 13-24-040, § 388-400-0060, filed 11/26/13, effective 1/1/14. 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, § 388-400-0060, filed 4/27/12, effective 6/1/12.]

WAC 388-400-0065 Housing and essential needs (HEN). (1) For the purposes of this chapter:

(a) "Commerce" means the Washington state department of commerce.

(b) "Department" means the department of social and health services (DSHS).

(c) "Housing support" means assistance provided to maintain existing housing or to obtain housing or utilities.

(d) "Essential needs items" means personal health and hygiene items, cleaning supplies, transportation passes, and other personal needs items.

(2) What is housing and essential needs (HEN)? Within available funds, HEN provides housing support and essential needs items to eligible individuals.

(3) Who administers HEN? HEN is administered by commerce through its network of local contracted HEN providers.

(4) Who determines eligibility for a referral to HEN?

(a) The department determines eligibility for referral to the HEN program under WAC 388-400-0055, 388-400-0060, and 388-400-0070 and sends you a HEN referral notice when you become eligible for a referral.

(b) After the department determines you are eligible for a HEN referral, the local HEN provider decides whether you can receive HEN, and what benefits you can receive based on guidelines established by commerce and available funding.

(5) If your notice from the department says you are eligible for a HEN referral, you must contact your local HEN provider to apply for housing supports and essential needs items. Referral to the HEN program does not guarantee that you will receive HEN.

[Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.770, 74.08.025, 74.08.090, 74.08A.100, 74.62.030, and 2025 c 408. WSR 25-22-026, s 388-400-0065, filed 10/27/25, effective 11/27/25. Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.100, 74.04.770, 74.08.025, 74.62.030, and 2013 2nd sp.s. c 10. WSR 13-24-044, § 388-400-0065, filed 11/26/13, effective 1/1/14.]

WAC 388-400-0070 Who is eligible for referral to the housing and essential needs (HEN) program? (1) You are eligible for referral to the housing and essential needs (HEN) program if you:

(a) Apply for cash assistance as detailed in WAC 388-406-0010;

(b) Complete an interview with the department;

(c) Are incapacitated as defined in WAC 388-447-0001 through 388-447-0100;

(d) Are at least 18 years old or, if under 18, legally emancipated or a member of a married couple;

(e) Are in financial need according to income rules in chapter 388-450 WAC and resource requirements in RCW 74.04.005 and chapter 388-470 WAC. We determine who is in your assistance unit according to WAC 388-408-0070;

(f) Have countable income, as defined in WAC 388-450-0162, at or below the monthly income limits defined in WAC 388-478-0090;

(g) Meet the citizenship and alien status requirements for ABD cash assistance under WAC 388-424-0015;

(h) Meet the Social Security number verification requirement for cash assistance under WAC 388-476-0005;

(i) Meet the residency requirement for cash assistance under WAC 388-468-0005;

(j) Meet verification requirements for cash assistance detailed in WAC 388-490-0005.

(k) To remain eligible for HEN referral, you must also:

(i) Report changes in your circumstances as required for cash assistance under WAC 388-418-0007; and

(ii) Complete and return eligibility reviews we send you under WAC 388-434-0005.

(2) You are not eligible for referral to the HEN program if you:

(a) Are eligible for temporary assistance for needy families (TANF) program;

(b) Refuse or fail to meet a TANF rule without good cause;

(c) Refuse or fail to cooperate in obtaining federal aid assistance, including but not limited to medicaid, without good cause;

(d) Refuse or fail to participate in drug or alcohol treatment as required in WAC 388-447-0120;

(e) Are eligible for supplemental security income (SSI) benefits and receiving a state supplemental payment (SSP) under WAC 388-474-0012;

(f) Are an ineligible spouse of an SSI recipient;

(g) Refuse or fail to follow a Social Security Administration (SSA) program rule or application requirement without good cause and SSA denied or terminated your benefits;

(h) Are terminated from ABD for refusing or failing to sign an interim assistance reimbursement authorization agreement under WAC 388-400-0060;

(i) Are fleeing to avoid prosecution of, or to avoid custody or confinement for conviction of, a felony, or an attempt to commit a felony as described in WAC 388-442-0010; or

(j) Are disqualified from receiving cash assistance due to a conviction related to unlawful practices in obtaining cash assistance as described in WAC 388-446-0005.

(3) If you reside in a public institution, as defined in WAC 182-500-0050, and meet all other requirements, your eligibility for referral to the HEN program depends on the type of institution.

(a) You may be eligible for referral to the HEN program if you are a patient in a public institution.

(b) You aren't eligible for referral to the HEN program if you are in the custody of or confined in a public correctional facility such as a state prison, or city, county, or tribal jail, including placement in a work release program.

[Statutory Authority: RCW 74.04.005, 74.04.0052, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.04.805, 74.08.025, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.62.030, and 2022 c 297 § 205(22). WSR 23-01-057, § 388-400-0070, filed 12/14/22, effective 1/14/23. Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.04.805, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.62.030, and 2020 c 322. WSR 20-19-006, § 388-400-0070, filed 9/3/20, effective 10/4/20. Statutory Authority: RCW 74.04.050, 74.040.055 [74.04.055], 74.04.057, 74.08.090, and 2018 c 48. WSR 18-18-007, § 388-400-0070, filed 8/23/18, effective 9/23/18. Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.100, 74.04.770, 74.08.025, 74.62.030, and 2013 2nd sp.s. c 10. WSR 13-24-044, § 388-400-0070, filed 11/26/13, effective 1/1/14.]