Chapter 388-466 WAC
REFUGEE PROGRAM

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WAC

388-466-0005 Immigration status requirements for refugee cash assistance.
388-466-0120 Refugee cash assistance (RCA).
388-466-0140 Income and resources for refugee cash assistance eligibility.
388-466-0150 Refugee employment and training services.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

388-466-0010 Treatment of income and resources for refugee assistance. [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-466-0010, filed 7/31/98, effective 9/1/98.] Repealed by WSR 02-04-057, filed 1/30/02, effective 2/1/02. Statutory Authority: RCW 74.08.090, 74.08A.320.

388-466-0015 Work and training requirements for refugee cash assistance. [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-466-0015, filed 7/31/98, effective 9/1/98.] Repealed by WSR 00-22-085, filed 10/31/00, effective 12/1/00. Statutory Authority: RCW 74.08.090.

388-466-0020 Exemptions to work and training requirements. [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-466-0020, filed 7/31/98, effective 9/1/98.] Repealed by WSR 00-22-085, filed 10/31/00, effective 12/1/00. Statutory Authority: RCW 74.08.090.

388-466-0025 Penalties for not complying with work and training requirements. [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-466-0025, filed 7/31/98, effective 9/1/98.] Repealed by WSR 00-22-085, filed 10/31/00, effective 12/1/00. Statutory Authority: RCW 74.08.090.

388-466-0130 Refugee medical assistance (RMA). [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.320, Pub. L. No. 110-181, National Defense Authorization Act for Fiscal Year 2008, Pub. L. No. 111-08, the Omnibus Appropriations Act of 2009, Division F, Title VI, Section 602; Office of Refugee Resettlement State Letter 09-17 from April 9, 2009; and federal guidance issued on May 15, 2009, by the Food and Nutrition Service, United States Department of Agriculture. WSR 09-21-046, § 388-466-0130, filed 10/14/09, effective 11/4/09. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08A.320, 74.08.090, and Public Law 110-161 Section 525; Public Law 110-181 Section 1244; FNS Admin Notice 08-17; State Letter 04-12 from the Office of Refugee Resettlement. WSR 08-14-116, § 388-466-0130, filed 6/30/08, effective 8/1/08. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057. WSR 04-05-010, § 388-466-0130, filed 2/6/04, effective 3/8/04. Statutory Authority: RCW 74.08.090, 74.08A.320. WSR 00-21-065, § 388-466-0130, filed 10/16/00, effective 11/1/00.] Decodified by WSR 12-02-034, filed 12/29/11, effective 1/1/12. Recodified as § 182-507-0130.

WAC 388-466-0005 Immigration status requirements for refugee cash assistance. (1) You may be eligible for refugee cash assistance (RCA) if you can provide documentation that shows you are:

(a) Admitted as a refugee under section 207 of the Immigration and Nationalities Act (INA);

(b) Paroled into the U.S. as a refugee or asylee under section 212 (d)(5) of the INA;

(c) Granted asylum under section 208 of the INA;

(d) Admitted as an Amerasian Immigrant from Vietnam through the orderly departure program, under section 584 of the Foreign Operations Appropriations Act, incorporated in the FY88 Continuing Resolution P.L. 100-202;

(e) A Cuban-Haitian entrant who meets the requirements in 45 C.F.R. part 401.2;

(f) Certified as a victim of human trafficking by the federal U.S. Department of Health and Human Services (HHS);

(g) An eligible family member of a victim of human trafficking certified by HHS who has a T-2, T-3, T-4, T-5, or T-6 Visa;

(h) Afghan nationals paroled into the U.S. between July 31, 2021, and September 30, 2023; or

(i) An individual who was paroled into the U.S. after September 30, 2023, and is the spouse or child of an Afghan national as defined in subsection (h) of this section; or

(ii) An individual who was paroled into the U.S. after September 30, 2023, and is the parent or legal guardian of an individual defined

in subsection (h) of this section who is determined to be an unaccompanied child;

(i) Admitted as Special Immigrant from Iraq or Afghanistan under section 101 (a)(27) of the INA, or special immigrant conditional permanent resident, or paroled under section 602(B)(1) AAPA/Sec 1059(a) NDAA 2006;

(j) Individuals from Ukraine admitted as humanitarian parolees between February 24, 2022, and September 30, 2024, and whose parole has not been terminated by the Secretary of the Department of Homeland Security (DHS), who:

(i) Are citizens or nationals of Ukraine;

(ii) Are non-Ukrainian individuals, who were habitually residing in Ukraine, and have documentation confirming last habitual residence in Ukraine;

(iii) Are individuals who were first granted humanitarian parole, and then obtained temporary protected status (TPS). They are eligible for refugee cash assistance until the end of their parole term due to underlying receipt of humanitarian parole;

(iv) Are children or spouses of someone paroled into the U.S. under subsection (j) of this section and who are paroled into the U.S. after September 30, 2023; or

(v) Is the parent, legal guardian, or primary caregiver of an individual described in subsection (j) of this section who is determined to be an unaccompanied child.

(2) An individual with lawful permanent resident (LPR) status meets the immigration status requirements for RCA if the individual was previously in one of the statuses described in subsections (1)(a) through (j) of this section.

[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 388-466-0005, 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 P.L. 117-128 and Policy Letter 22-13 dated May 26, 2022. WSR 23-02-035, § 388-466-0005, filed 12/29/22, effective 1/29/23. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 74.08.090. WSR 22-12-038, § 388-466-0005, filed 5/25/22, effective 6/25/22. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.250, and 2011 1st sp.s. c 15. WSR 12-19-037, § 388-466-0005, filed 9/12/12, effective 10/13/12. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08A.320, 74.08.090, and Public Law 110-161 Section 525; Public Law 110-181 Section 1244; FNS Admin Notice 08-17; State Letter 04-12 from the Office of Refugee Resettlement. WSR 08-14-116, § 388-466-0005, filed 6/30/08, effective 8/1/08. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-466-0005, filed 7/31/98, effective 9/1/98.]

WAC 388-466-0120 Refugee cash assistance (RCA). (1) **Who can apply for refugee cash assistance (RCA)?**

Anyone can apply to the department of social and health services (DSHS) for refugee cash assistance and have their eligibility determined within 30 days.

(2) **How do I know if I qualify for RCA?**

You may be eligible for RCA if you meet the following conditions:

(a) You meet the immigration status requirements of WAC 388-466-0005;

(b) You have had the qualifying immigration status described in subsection (a) of this section for less than the duration of the program as determined by the director of the federal office of refugee resettlement;

(c) You meet the income and resource requirements under chapters 388-450 and 388-470 WAC, except we do not count a one-time resettlement cash payment that a resettlement agency may use to cover direct assistance costs, such as rent, household goods, and other essential needs (WAC 388-466-0140);

(d) You meet the work and training requirements of WAC 388-466-0150; and

(e) If you are a refugee, you provide the name of the resettlement agency which resettled you.

(3) **What are the other reasons for not being eligible for RCA?**

You may not be able to get RCA if you:

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

(b) Have been denied TANF due to your refusal to meet TANF eligibility requirements; or

(c) Are employable and have, without good cause, voluntarily quit or refused to accept a bona fide offer of employment within 30 consecutive days immediately prior to your application for RCA; or

(d) Are a full-time student in a college or university.

(4) **What if I am 65 years of age or older, blind, or disabled?**

You may be eligible for supplemental security income (SSI). If you also meet the eligibility requirements for RCA, you may be eligible to receive RCA benefits for the duration of the program as determined by the director of the federal office of refugee resettlement or until SSI benefits are authorized, whichever occurs sooner.

(5) **If I meet the requirements for the RCA program, what date will be used as the start date of the RCA benefit period?**

The date that will be used as the start of the RCA benefit period is the date that you qualify for federal refugee resettlement services based on your immigration status.

(a) The start date of the RCA benefit period will be the date you entered the United States if you are a(n):

(i) Refugee;

(ii) Amerasian;

(iii) Special Immigrant Visa (SIV) holder from Iraq or Afghanistan;

(iv) Afghan Special Immigrant Parolee (SI/SQ); or

(v) Afghan individual with Special Immigrant (SI) Conditional Permanent Residence (CPR).

(b) If you are a Cuban-Haitian entrant, the start date of the RCA benefit period is the date you met the definition of a Cuban-Haitian entrant as defined in 45 C.F.R. Part 401.2.

(c) If you are an asylee, the start date of the RCA benefit period will be the date that your asylum status is granted. For example: You entered the United States on December 1, 2021, as a tourist, then applied for asylum on April 1, 2022, interviewed with the asylum of-

fice on July 1, 2022, and were granted asylum on September 1, 2022. September 1, 2022, will be used as the start date of your RCA benefit period.

(d) If you are certified as a victim of human trafficking, the start date of the RCA benefit period will be the date on the certification, eligibility, or interim assistance letter from the federal U.S. Department of Health and Human Services (HHS).

(e) If you are a Ukrainian humanitarian parolee that entered the United States between February 24, 2022, and September 30, 2023, the start date of the RCA benefit period is May 21, 2022, or the date you were granted parole, whichever is later. If you entered the United States between October 1, 2023, and September 30, 2024, your date of eligibility is April 24, 2024, or the date you were granted parole, whichever is later.

(f) If you are an Afghan humanitarian parolee that entered the United States between July 31, 2021, and September 30, 2023, the start date of the RCA benefit period is October 1, 2021, (if you entered between July 31, 2021, and September 30, 2021) or the date you "entered the community," whichever is later.

(6) **If I am a victim of human trafficking, what kind of documentation do I need to provide to be eligible for RCA?**

You are eligible for RCA to the same extent as a refugee if you are:

(a) An adult victim, 18 years of age or older, you provide the original certification letter from the U.S. Department of Health and Human Services (HHS), and you meet eligibility requirements in subsection (2) of this section. You do not have to provide any other documentation of your immigration status.

(b) A child victim under the age of 18, in which case you do not need to be certified. HHS issues a special eligibility or interim assistance letter for children. Children also have to meet income eligibility requirement;

(c) A family member of a certified victim of human trafficking, you have a T-2, T-3, T-4, T-5, or T-6 Visa (Derivative T-Visas), and you meet the eligibility requirements in subsections (2)(c) and (d) of this section.

(7) **When can I start receiving RCA?**

The date DSHS has sufficient information to make an eligibility decision is the date you can start receiving RCA (WAC 388-406-0055).

(8) **How long can I receive RCA benefits?**

(a) You can receive RCA benefits for the duration of the program as determined by the director of the federal office of refugee resettlement starting from the date you qualify for services through the federal office of refugee resettlement (ORR).

(b) The benefit period for RCA begins the date you are eligible for ORR services, not the date of application for RCA. The actual number of months you receive RCA benefits depends on the date you apply and are approved for RCA. You will only be able to receive RCA for the number of months between RCA approval and the last day of the benefit for the program as determined by the director of ORR, which is calculated from your date of eligibility for ORR services.

(c) If you get a job, your income will affect your RCA based on the TANF rules (chapter 388-450 WAC). If you earn more than is allowed by WAC 388-478-0035, you are no longer eligible for RCA.

(d) The number of months that you may receive RCA benefits could change if the federal office of refugee resettlement changes the eligibility period.

(9) **Are there other reasons why RCA may end?**

Your RCA also ends if:

(a) You move out of Washington state;

(b) Your unearned income or resources go over the maximum limit (WAC 388-466-0140); or

(c) You, without good cause, refuse to meet refugee employment and training requirements (WAC 388-466-0150).

(10) **Will my spouse be eligible for RCA, if they arrive in the U.S. after me?**

When your spouse arrives in the United States, DSHS determines their eligibility for RCA and other income assistance programs.

(a) Your spouse may be eligible for RCA for the duration of the program as determined by the director of the federal office of refugee resettlement. The date your spouse qualifies for RCA is based on the date they qualify for federal refugee services through the federal office of refugee resettlement.

(b) If you live together, you and your spouse are part of the same assistance unit and your spouse's eligibility for RCA is determined based on you and your spouse's combined income and resources (WAC 388-466-0140).

(11) **What can I do if I disagree with a decision or action that has been taken by DSHS on my case?**

If you disagree with a decision or action taken on your case by the department, you have the right to request a review of your case or an administrative hearing (WAC 388-02-0090). Your request must be made within 90 days of the date of the decision or action.

[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 388-466-0120, 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 388-466-0120, 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, § 388-466-0120, filed 12/28/22, effective 1/28/23. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.250 and 45 C.F.R. § 400.300, 8 U.S.C. § 1522 (e)(1). WSR 20-24-073, § 388-466-0120, filed 11/24/20, effective 12/25/20. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.250 and 2011 1st sp.s. c 15. WSR 13-03-137, § 388-466-0120, filed 1/23/13, effective 2/23/13; WSR 12-19-037, § 388-466-0120, filed 9/12/12, effective 10/13/12. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.320, Pub. L. No. 110-181, National Defense Authorization Act for Fiscal Year 2008, Pub. L. No. 111-08, the Omnibus Appropriations Act of 2009, Division F, Title VI, Section 602; Office of Refugee Resettlement State Letter 09-17 from April 9, 2009; and federal guidance issued on May 15, 2009, by the Food and Nutrition Service, United States Department of Agriculture. WSR 09-21-046, § 388-466-0120, filed 10/14/09, effective 11/4/09. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08A.320, 74.08.090, and Public Law 110-161 Section 525; Public Law 110-181 Section 1244; FNS Admin

Notice 08-17; State Letter 04-12 from the Office of Refugee Resettlement. WSR 08-14-116, § 388-466-0120, filed 6/30/08, effective 8/1/08. Statutory Authority: RCW 74.08.090, 74.08A.320. WSR 02-04-057, § 388-466-0120, filed 1/30/02, effective 2/1/02.]

WAC 388-466-0140 Income and resources for refugee cash assistance eligibility. (1) **How does DSHS count my income and resources when determining my eligibility for refugee cash assistance?**

We determine your eligibility for RCA using the TANF rules about income and resources in chapters 388-450 and 388-470 WAC, except we do not count a onetime resettlement cash payment provided to you by your voluntary agency (VOLAG).

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.250, and 2011 1st sp.s. c 15. WSR 12-19-037, § 388-466-0140, filed 9/12/12, effective 10/13/12. Statutory Authority: RCW 74.08.090, 74.08A.320. WSR 02-04-057, § 388-466-0140, filed 1/30/02, effective 2/1/02.]

WAC 388-466-0150 Refugee employment and training services. (1) **What are refugee employment and training services?**

Refugee employment and training services provided to eligible refugees may include information and referral, employment-oriented case management, job development, job placement, job retention, wage progression, skills training, on-the-job training, counseling and orientation, English as a second language, and vocational English training.

(2) **Am I required to participate in refugee employment and training services?**

If you are receiving refugee cash assistance (RCA) you are required to participate in refugee employment and training services, unless you are exempt.

(3) **How do I know if I am exempt from mandatory employment and training requirements?**

You may be exempt from participation in employment and training requirements if you are:

(a) An adult with a severe and chronic disability as defined below:

(i) You have been assessed by a DSHS SSI facilitator as likely to be approved for SSI and are required to apply for SSI. Your SSI application status may be verified through the SSI facilitator or state data exchange; or

(ii) Your disability is a severe and chronic mental, physical, emotional, or cognitive impairment that prevents you from working and is expected to last at least 12 months. Your disability must be verified by documentation from a behavioral health organization (BHO), regional service area (RSA), or evidence from another medical or mental health professional; or

(b) Required to be in the home to care for another adult with disabilities when:

(i) The adult with disabilities cannot be left alone for significant periods of time;

(ii) No adult other than yourself is available and able to provide the care;

(iii) The adult with the disability is related to you;

(iv) You are unable to participate in work activities because you are required to be in the home to provide care; and

(v) The disability and your need to care for your disabled adult relative is verified by documentation from the developmental disabilities administration (DDA), division of vocational rehabilitation (DVR), home and community services (HCS), division of behavioral health and recovery (DBHR), a behavioral health organization (BHO), regional service area (RSA), or evidence from another medical or mental health professional.

(c) Sixty years of age or older.

(d) Unable to participate in work activities because you are the victim of family violence.

(4) **If I am required to participate, what do I have to do?**

You are required to:

(a) Register with your employment service provider;

(b) Accept and participate in all employment opportunities, training, or referrals, determined appropriate by the department.

(5) **What happens if I do not follow these requirements?**

If you refuse without good reason to cooperate with the requirements, you are subject to the following penalties:

(a) You will be ineligible for refugee cash assistance if you, without good cause, voluntarily quit employment or refused to accept a bona fide offer of employment within 30 consecutive days immediately prior to your application for RCA; or

(b) If you are already receiving refugee cash assistance, your cash benefits will be subject to financial penalties.

(c) The department will notify your resettlement agency if financial penalties take place.

(6) **What are the penalties to my grant?**

The penalties to your grant are:

(a) If the assistance unit includes other individuals as well as yourself, the cash grant is reduced by the sanctioned refugee's amount for three months after the first occurrence. For each subsequent occurrence, the cash grant is reduced by the sanctioned refugee's amount for six months.

(b) If you are the only person in the assistance unit, your cash grant is terminated for three months after the first occurrence. For each subsequent occurrence, your grant is terminated for six months.

(7) **How can I avoid the penalties?**

You can avoid the penalties if you accept employment or training before the last day of the month in which your cash grant is closed.

(8) **What is considered a good reason for not being able to follow the requirements?**

You have a good reason for not following the requirements if it was not possible for you to stay on the job or to follow through on a required activity due to an event outside of your control. See WAC 388-310-1600(3) for examples.

[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 388-466-0150, 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, § 388-466-0150, filed 12/28/22, effective 1/28/23. Statutory Authority: RCW 74.04.050, 74.04.055, 74.08.090. WSR 16-05-034, § 388-466-0150, filed 2/9/16, effective 3/15/16. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.500, 74.04.510, 74.08.090, 74.08A.120, and 2011 1st sp.s. c 15. WSR 13-18-004, § 388-466-0150, filed 8/22/13, effective 10/1/13. Statutory Authority: RCW 74.08.090. WSR 00-22-085, § 388-466-0150, filed 10/31/00, effective 12/1/00.]