

WSR 24-19-076

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed September 17, 2024, 8:33 a.m., effective January 1, 2025]

Effective Date of Rule: January 1, 2025.

Purpose: The department of social and health services is adopting amendments to WAC 388-432-0005 Can I get help from DSHS for a family emergency without receiving monthly cash assistance? Effective January 1, 2025, these amendments implement HB 2415 (chapter 154, Laws of 2024) and increase the maximum diversion cash assistance payment from \$1,250 to \$2,000.

Citation of Rules Affected by this Order: Amending WAC 388-432-0005.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.660, 74.08.090, 74.08A.210, 74.08A.230.

Other Authority: HB 2415 (chapter 154, Laws of 2024).

Adopted under notice filed as WSR 4-16-121 on August 6, 2024.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 17, 2024.

Katherine I. Vasquez
Rules Coordinator

SHS-5043.2

AMENDATORY SECTION (Amending WSR 21-21-065, filed 10/18/21, effective 11/18/21)

WAC 388-432-0005 Can I get help from DSHS for a family emergency without receiving monthly cash assistance? The department of social and health services (DSHS) has a program called diversion cash assistance (DCA). If your family needs an emergency cash payment but does not need ongoing monthly cash assistance, you may be eligible for this program.

(1) To get DCA, you must:

(a) Meet all the eligibility rules for temporary assistance for needy families (TANF) WAC 388-400-0005 or ~~((/))~~ state family assistance (SFA) per WAC 388-400-0010. ~~((, and once))~~ If DSHS finds you el-

eligible, you are not required to fulfill the following TANF-related requirements:

- (i) Participation in WorkFirst as defined in chapter 388-310 WAC; and
- (ii) Assignment of child support rights or cooperation with the division of child support as defined in chapter 388-422 WAC;
- (b) Have a current bona fide or approved need for living expenses;
- (c) Provide proof that your need for DCA exists; and
- (d) Have or expect to get enough income or resources to support you and your family for at least (~~twelve~~) 12 months.
- (2) You may get DCA to help pay for one or more of the following needs:
 - (a) Child care;
 - (b) Housing;
 - (c) Transportation;
 - (d) Expenses to get or keep a job;
 - (e) Food costs, but not if an adult member of your family has been disqualified (~~for food stamps~~) from Washington's basic food program;
 - (f) Medical costs, except when an adult member of your family is not eligible because (~~he or she~~) they failed to provide third party liability (TPL) information as defined in WAC 182-503-0540.
- (3) DCA payments are limited to:
 - (a) (~~One~~) Two thousand (~~two hundred fifty~~) dollars once in a (~~twelve~~) 12-month period that starts with the month DCA benefits begin; and
 - (b) The cost of your need.
- (4) (~~We do~~) DSHS does not budget your income or make you use your resources to lower the amount of DCA payments you can receive.
- (5) DSHS may make DCA payments:
 - (a) All at once; or
 - (b) As separate payments over a (~~thirty~~) 30-day period that starts on the date of your first DCA payment.
- (6) (~~We~~) DSHS will pay your DCA benefit directly to the service provider when possible.
- (7) You are not eligible for DCA if one or more of the following applies:
 - (a) Any adult member of your assistance unit got DCA within the last (~~twelve~~) 12 months;
 - (b) Any adult member of your assistance unit gets TANF/SFA currently;
 - (c) Any adult member of your assistance unit is not eligible for cash assistance for any reason unless one parent in a two-parent-assistance unit currently receives (~~SSI~~) Social Security Income (SSI);
 - (d) Your assistance unit does not have a needy adult, such as when you do not receive TANF/SFA for yourself but for your children only;
 - (e) Any adult member of your assistance unit is not eligible for cash assistance for any one of the following sanctions:
 - (i) TANF/SFA closure because of a noncompliance sanction (NCS) termination;
 - (ii) TANF/SFA closure while in WorkFirst sanction on or after July 1, 2021; or
 - (iii) Noncooperation with division of child support.
- (8) If you apply for DCA after your TANF/SFA grant is terminated, (~~we consider~~) DSHS considers you an applicant for DCA.

(9) If you apply for TANF/SFA and you received DCA less than ~~((twelve))~~ 12 months ago, ~~((we set))~~ DSHS sets up a DCA loan:

(a) The amount of the DCA loan is ~~((one-twelfth))~~ 1/12th of the total DCA benefit times the number of months that are left in the ~~((twelve))~~ 12-month period;

(b) The first month begins with the month your DCA benefits began; and

(c) ~~((We))~~ DSHS will collect the loan only by reducing your TANF/SFA grant by ~~((five-percent))~~ 5% each month.

(10) If you stop getting TANF/SFA before you have repaid your DCA loan, ~~((we))~~ DSHS will stop collecting the loan unless you get back on TANF/SFA.