

**WAC 246-130-040 How do persons with HIV become eligible? (1)**

The department establishes the criteria for determining client eligibility for the early intervention program by consulting with the early intervention steering committee and other interested parties. The department reviews each client's application against the criteria set out in this section.

(2) An applicant is eligible for twelve months of early intervention program services beginning the first of the month that the applicant's completed application was postmarked.

(3) The department requires the following documentation:

(a) A medical diagnosis of HIV;

(b) A Washington state address;

(c) Verification of income, that is equal to or less than the limit set by the early intervention program. Income includes:

(i) Wages, salary, overtime, tips, and bonuses;

(ii) Social Security, trust funds for disability, or other disability insurance payments;

(iii) Unemployment benefits;

(iv) Veteran's Administration benefits;

(v) Lump sum payments of gifts, cash inheritance, property, lottery winnings, worker's compensation for lost income, or severance pay;

(vi) Private pensions, annuities, or royalties; and

(vii) Investment dividends.

(4) The department also considers the following when determining client eligibility:

(a) Client resources: A client must have current resources of less than or equal to the limit set by the early intervention program. Resources include trust funds, and any other financial resources available to the applicant. The department does not count the following as resources:

(i) One home, defined as real property owned by the client as his or her principal place of residence in Washington state, together with surrounding property not to exceed five acres;

(ii) Commercial property, or property used for producing income, up to the first twenty thousand dollars of value;

(iii) Household furnishings;

(iv) One automobile; or

(v) Pensions and other Internal Revenue Service designated retirement accounts; or

(vi) Burial plots or prepaid funeral arrangements.

(b) Client ineligibility for medical benefits through the department of social and health services. If a client is eligible for medical benefits through the department of social and health services, he or she may not qualify for the early intervention program, except when the department is coordinating other services as specified in WAC 246-130-020(6).

(5) Individuals transitioning from any correctional institute are eligible for service that will assist them to access medication once they are released from the facility.

(6) Refer to the HIV client services web page through DOH WEB (A-Z) at [www.doh.wa.gov](http://www.doh.wa.gov).

[Statutory Authority: RCW 43.70.670. WSR 05-23-100, § 246-130-040, filed 11/17/05, effective 12/18/05. Statutory Authority: RCW 43.70.040 and 43.70.120. WSR 00-19-117, § 246-130-040, filed 9/20/00, effective 10/21/00; WSR 95-23-018, § 246-130-040, filed 11/7/95, effective

12/8/95. Statutory Authority: RCW 43.70.120. WSR 92-02-018 (Order 224), § 246-130-040, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-130-040, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.120. WSR 90-17-087 (Order 071), § 248-168-040, filed 8/17/90, effective 9/17/90. Statutory Authority: RCW 43.20A.550. WSR 87-22-012 (Order 2549), § 248-168-040, filed 10/26/87.]