

WAC 110-720-0020 Cost reimbursement schedule and ability to pay.

(1) A parent or other legally obligated person shall pay a percentage of gross income to reimburse the department for the cost of support, treatment and confinement of the juvenile.

(2) Gross income, adjusted annually according to the published Federal Poverty Guidelines, shall form the basis to determine obligation to pay.

(3) Ability to pay and obligation to reimburse are determined by application of the information provided by a parent or other legally obligated person in the financial information statement and/or by other information available to the department to the reimbursement schedule below:

Gross Income as Percentage of Federal Poverty Guideline	Dependents in Home					
	1	2	3	4	5	6
150 - 174%	12%	12%	10%	10%	8%	8%
175 - 199%	13%	13%	11%	11%	9%	9%
200 - 224%	14%	14%	12%	12%	10%	10%
225 - 249%	15%	15%	13%	13%	11%	11%
250 - 274%	16%	16%	14%	14%	12%	12%
275 - 299%	17%	17%	15%	15%	13%	13%
300 - 399%	18%	18%	16%	16%	14%	14%
400%+	20%	20%	18%	18%	16%	16%

Reimbursement Obligation: Assessed Percentage of Gross Income

(4) Within fifteen days of receipt of the financial information statement, the legally obligated person shall complete, sign and mail the statement to the department.

(5) Based on the statement, if returned, and on other information available to it, the department shall determine the legally obligated person's gross income, the number of parents or registered domestic partners and dependents remaining in the household, and the reimbursement obligation, and shall serve on the legally obligated person a notice and finding of financial responsibility.

(6) If a legally obligated person fails to timely provide a financial statement and insufficient information is available to the department to determine ability to pay, the reimbursement obligation shall be the current monthly average (marginal) institutional cost of care as determined by the department.

(7) Assessed obligation for reimbursement may not exceed the institutional average daily rate (full cost of care) as determined by the department.

(8) The reimbursement obligation commences the day the juvenile enters the custody of the department, regardless of when the notice and finding of financial responsibility is received by the parent. The monthly reimbursement obligation shall be reduced on a pro rata basis for any days in which the juvenile was not in the custody of the department.

(9) If the juvenile's parents or other legally obligated persons reside in separate households, each shall be liable for reimbursement.

(10) The gross income of a legally obligated person shall be reduced by the amount the person pays in spousal maintenance to the juvenile's parent, which is gross income to the receiving parent.

(11) The gross income of a legally obligated person shall be reduced by the amount of current child support paid for any child, including the juvenile offender. This credit shall be available when the support is paid to any section of the department or to any other person legally entitled to receive those support payments, pursuant to court order or administrative order for a child the legally obligated person did not claim as a dependent under the reimbursement schedule.

(12) The legally obligated person of the juvenile shall be exempt from the payment of the cost of the juvenile's care in the state facility if:

(a) The legally obligated person receives adoption support or is eligible to receive adoption support for the juvenile offender; or

(b) The legally obligated person, or such person's child, spouse, registered domestic partner, or spouse's child or a dependent person in the household was the victim of the offense for which the juvenile was committed to the department.

(13) As provided for in RCW 13.40.220, the office of financial recovery, on behalf of the department, may negotiate with legally obligated persons the payment schedules and methods used to satisfy costs of support, treatment and confinement.

[WSR 19-14-079, recodified as § 110-720-0020, filed 7/1/19, effective 7/1/19. Statutory Authority: RCW 13.40.220. WSR 09-24-093, § 388-720-0020, filed 12/1/09, effective 1/1/10; WSR 04-05-080, § 388-720-0020, filed 2/17/04, effective 3/19/04; WSR 00-22-019, recodified as § 388-720-0020, filed 10/20/00, effective 11/20/00; WSR 96-24-075, § 275-47-020, filed 12/2/96, effective 1/2/97; WSR 94-15-009 (Order 3752), § 275-47-020, filed 7/8/94, effective 8/8/94.]