

Chapter 388-436 WAC
EMERGENCY CASH ASSISTANCE

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

388-436-0001 Additional requirement for emergent needs (AREN). [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-436-0001, filed 7/31/98, effective 9/1/98.] Repealed by WSR 99-14-046, filed 6/30/99, effective 8/1/99. Statutory Authority: RCW 74.04.050, 74.04.055 and 74.08.090.
388-436-0005 AREN good cause. [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-436-0005, filed 7/31/98, effective 9/1/98.] Repealed by WSR 99-14-046, filed 6/30/99, effective 8/1/99. Statutory Authority: RCW 74.04.050, 74.04.055 and 74.08.090.
388-436-0010 Winterization. [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-436-0010, filed 7/31/98, effective 9/1/98.] Repealed by WSR 00-10-036, filed 4/24/00, effective 6/1/00. Statutory Authority: RCW 74.08.090.
388-436-0025 Eligibility conditions for CEAP—Job refusal. [Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-436-0025, filed 7/31/98, effective 9/1/98.] Repealed by WSR 07-07-103, filed 3/19/07, effective 4/19/07. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090.

WAC 388-436-0002 If my family has an emergency, can I get help from DSHS to get or keep our housing or utilities? DSHS has a program called additional requirements for emergent needs (AREN). If your family has an emergency and you need assistance to get or keep safe housing or utilities, you may be eligible. The special AREN payment is in addition to the regular monthly cash grant your family may already get.

(1) To get AREN, you must:

(a) Be eligible for temporary assistance for needy families (TANF), state family assistance (SFA), or refugee cash assistance (RCA);

(b) Have an emergency housing or utility need;

(c) Have a good reason that you do not have enough money to pay your housing or utility costs; and

(d) Have not previously received the AREN maximum limit of seven hundred fifty dollars in a 12-month period. We will count all AREN payments received in a 12-month period by any adult in your TANF assistance unit, for any assistance unit, when we calculate your AREN limit.

(2) To get AREN, you must be eligible for TANF, SFA, or RCA. This means you must:

(a) Get benefits through TANF, SFA, or RCA. For RCA you must also be pregnant or have an eligible child; or

(b) Apply for TANF, SFA, and RCA, and meet all eligibility criteria including:

(i) The maximum earned income limit under WAC 388-478-0035;

(ii) The requirement that your unearned income not exceed the grant payment standard;

(iii) The requirement that your countable income as defined under WAC 388-450-0162 must be below the payment standard in WAC 388-478-0020 when you have both earned income and unearned income;

(iv) The resource limits under chapter 388-470 WAC;

(v) The program summary rules for either TANF (WAC 388-400-0005); SFA (WAC 388-400-0010); or RCA (WAC 388-400-0030); and

(vi) The requirement that you must be pregnant or have an eligible child.

(3) If you do not get or do not want to get TANF, SFA or RCA, you cannot get AREN to help with housing or utility costs. We will look to see if you are eligible for diversion cash assistance (DCA) under WAC 388-432-0005.

(4) To get AREN, you must have an emergency housing or utility need. You may get AREN to help pay to:

(a) Prevent eviction or foreclosure;

(b) Get housing if you are homeless or need to leave your home because of domestic violence;

(c) Hook up or prevent a shut off of utilities related to your health and safety. We consider the following utilities to be needed for health and safety:

(i) Electricity or fuel for heating, lighting, or cooking;

(ii) Water;

(iii) Sewer; and

(iv) Basic local telephone service if it is necessary for your basic health and safety. If you receive TANF or SFA, the Washington telephone assistance program (WTAP) may be used to help you pay for basic local telephone service.

(d) Repair damage or defect to your home when it causes a risk to your health or safety:

(i) If you own the home, we may approve AREN for the least expensive method of ending the risk to your health or safety;

(ii) If you do not own the home, you must ask the landlord in writing to fix the damage according to the Residential Landlord-Tenant Act at chapter 59.18 RCW. If the landlord refuses to fix the damage or defect, we may pay for the repair or pay to move you to a different place whichever cost is lower.

(e) If you receive TANF or SFA, WorkFirst support services under WAC 388-310-0800 may be used to help you relocate to new housing to get a job, keep a job, or participate in WorkFirst activities. Non-housing expenses that are not covered under AREN may be paid under WorkFirst support services. This includes expenses such as car repair, diapers, or clothing.

(5) To get AREN, you must have a good reason for not having enough money to pay for your housing or utility costs. You must prove that you:

(a) Did not have money available that you normally use to pay your rent and utilities due to an emergency situation that reduced your income (such as a long-term illness or injury);

(b) Had to use your money to pay for necessary or emergency expenses. Examples of necessary or emergency expenses include:

(i) Basic health and safety needs for shelter, food and clothing;

(ii) Medical care;

(iii) Dental care needed to get a job or because of pain;

(iv) Emergency child care;

(v) Emergency expenses due to a natural disaster, accident, or injury; and

(vi) Other reasonable and necessary expenses.

(c) Are currently homeless; or

(d) Had your family's cash grant reduced or suspended when we budgeted your expected income for the month, but the income will not be available to pay for the need when the payment is due. You must make attempts to negotiate later payments with your landlord or utility company before you can get AREN.

(6) In addition to having a good reason for not having enough money to pay for your costs, you must also explain how you will afford to pay for the on-going need in the future. We may deny AREN if your expenses exceed your income (if you are living beyond your means). We may approve AREN to help you get into housing you can afford.

(7) If you meet the above requirements, we decide the amount we will pay based on the following criteria.

(a) AREN payments may be made up to a maximum of seven hundred fifty dollars in a in a 12-month period.

(b) The number of AREN payments you can receive is not limited, as long as the total amount received by all adults in the assistance unit for any assistance unit, does not exceed the seven hundred fifty dollar limit in a 12-month period. If you or another adult in your assistance unit have already received the limit, you may not be eligible to receive additional payments.

(c) We will determine if any adult TANF/SFA recipient living in your household has already received the AREN limit.

(d) We have the discretion to approve an AREN payment above the seven hundred fifty dollar limit when your health and safety are in imminent danger.

(e) The amount of AREN is in addition to the amount of your monthly TANF, SFA, or RCA cash grant.

(f) We will decide the lowest amount we must pay to end your housing or utility emergency. We will contact your landlord, utility company, or other vendor for information to make this decision. We may take any of the following steps when deciding the lowest amount to pay:

(i) We may ask you to arrange a payment plan with your landlord or utility company. This could include us making a partial payment, and you setting up a plan for you to repay the remaining amount you owe over a period of time.

(ii) We may have you use some of the money you have available in cash, checking, or savings to help pay for the expense. We will look at the money you have available as well as your bills when we decide how much we will pay.

(iii) We may consider income that is excluded or disregarded for cash assistance benefit calculations, such as SSI, as available to meet your emergency housing need.

(iv) We may consider money other individuals such as family or friends voluntarily give you. We will not count loans of money that you must repay to friends or family members.

(v) We may consider money from a nonneedy caretaker relative that lives in the home.

(vi) We may look at what other community resources you currently have to help you with your need.

(g) The seven hundred fifty dollar limit applies to the following people even if they leave the assistance unit:

(i) Adults; and

(ii) Minor parents that get AREN when no adults are in the assistance unit.

(8) We pay AREN directly to the landlord, mortgage company, utility, or other vendor.

(9) We may assign you a protective payee for your monthly grant under WAC 388-460-0020.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 74.08.090. WSR 14-19-027, § 388-436-0002, filed 9/8/14, effective 10/9/14. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.08A.250. WSR 12-02-047, § 388-436-0002, filed 12/30/11, effective 2/1/12. Statutory Authority: RCW 74.08.090, 74.04.050 and 74.08A.340. WSR 04-07-023, § 388-436-0002, filed 3/8/04, effective 4/8/04. Statutory Authority: RCW 74.08.090, 74.04.050. WSR 00-22-064, § 388-436-0002, filed 10/27/00, effective 12/1/00. Statutory Authority: RCW 74.04.050, 74.04.055, and 74.08.090. WSR 99-14-046, § 388-436-0002, filed 6/30/99, effective 8/1/99.]

WAC 388-436-0015 Consolidated emergency assistance program (CEAP). (1) CEAP is available to the following:

(a) A pregnant woman in any stage of pregnancy; or
(b) Families with dependent children, including families who have stopped receiving their TANF grant under WAC 388-310-1600 so long as:

(i) The dependent child is living with a parent or a relative of specified degree as defined under WAC 388-454-0010; or

(ii) The dependent child has lived with such a relative within six months of the request for assistance.

(2) Applicants must be residents of Washington state as defined in WAC 388-468-0005.

(3) Applicants must demonstrate a financial need for emergency funds for one or more of the following basic requirements:

- (a) Food;
- (b) Shelter;
- (c) Clothing;
- (d) Minor medical care;
- (e) Utilities;
- (f) Household maintenance supplies;
- (g) Necessary clothing or transportation costs to accept or retain a job; or
- (h) Transportation for a minor, not in foster care, to a home where care will be provided by family members or approved caretakers.

(4) Payment under this program is limited to one time within twelve consecutive months for a period covering no more than thirty consecutive days.

(5) The department may discontinue program benefits issuances during periods of time when state funds appropriated for CEAP are exhausted.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.660. WSR 11-02-037, § 388-436-0015, filed 12/29/10, effective 2/1/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090. WSR 07-07-103, § 388-436-0015, filed 3/19/07, effective 4/19/07. Statutory Authority: RCW 74.04.050, 74.04.055, and 74.04.057. WSR 04-05-013, § 388-436-0015, filed 2/6/04, effective 3/8/04. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-436-0015, filed 7/31/98, effective 9/1/98.]

WAC 388-436-0020 CEAP assistance unit composition. (1) The following persons living in the household must be included as members of the CEAP assistance unit:

(a) All full, half, or adopted siblings under eighteen years of age, including a minor parent; and

(b) The parent, adoptive parent, or stepparent living with the child or children.

(2) The following persons living in the household do not have to be included but may be included as members at the option of the applicant:

(a) One caretaker relative of specified degree when the child's parent does not live in the home;

(b) Stepbrothers or stepsisters to all children in the assistance unit.

(3) The following persons may make up a CEAP assistance unit without including others living in the home:

(a) The child of a parent who is a minor when the minor parent is not eligible due to the income and resources of his/her parents; or

(b) A pregnant woman when no other child is in the home.

(4) The following persons living in the household are not included as members of the CEAP assistance unit:

(a) A household member receiving supplemental security income (SSI);

(b) A household member ineligible due to reasons stated in WAC 388-436-0030.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.660. WSR 11-02-037, § 388-436-0020, filed 12/29/10, effective 2/1/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-436-0020, filed 7/31/98, effective 9/1/98.]

WAC 388-436-0030 How does my eligibility for other possible cash benefits impact my eligibility for CEAP? (1) You are ineligible for CEAP if you, or a household member, are eligible for any of the following programs:

(a) TANF or SFA, unless the family has had its case grant terminated due to WAC 388-310-1600;

(b) Pregnant women assistance (PWA);

(c) RCA;

(d) Aged, blind, or disabled (ABD) cash;

(e) Supplemental security income (SSI);

(f) Food assistance for those applicants requesting help for a food need;

(g) Housing assistance from any available source for those applicants requesting help for a housing need;

(h) Unemployment compensation, veteran's benefits, industrial insurance benefits, Social Security benefits, pension benefits, or any other source of financial benefits the applicant is potentially eligible to receive.

(2) The department may require the applicant, or anyone in the assistance unit, to apply for and take any required action to receive benefits from programs described in the above subsection (1)(a) through (h).

(3) The department may not authorize CEAP benefits to any household containing a member who is:

- (a) Receiving cash benefits from any of the following programs:
 - (i) TANF/SFA;
 - (ii) PWA;
 - (iii) RCA;
 - (iv) DCA; or
 - (v) ABD cash.

(b) Receiving reduced cash benefits for failure to comply with program requirements of TANF/SFA, or RCA.

(4) The department may authorize CEAP to families reapplying for TANF/SFA who are not eligible for TANF cash benefits under WAC 388-310-1600 until they complete the four week participation requirement.

[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, 41.05.021, 74.09.035, 74.09.530, and 2011 1st sp.s. c 15, 2013 2nd sp.s. c 10, and the 2013 biennial budget. WSR 15-02-006, § 388-436-0030, filed 12/26/14, effective 1/26/15. 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, § 388-436-0030, filed 4/27/12, effective 6/1/12. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.660. WSR 11-02-037, § 388-436-0030, filed 12/29/10, effective 2/1/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090. WSR 07-07-103, § 388-436-0030, filed 3/19/07, effective 4/19/07. Statutory Authority: RCW 74.04.660. WSR 99-24-130, § 388-436-0030, filed 12/1/99, effective 1/1/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-436-0030, filed 7/31/98, effective 9/1/98.]

WAC 388-436-0035 Income and resources for CEAP. (1) Estimated income, resources and circumstances of the following persons are used in determining need and payment for CEAP:

- (a) All persons included as members of the CEAP assistance unit;
- (b) If living in the home, the spouses and minor brothers and sisters of persons included as members of the CEAP assistance unit.

(2) Public assistance payments plus authorized additional requirements received in the calendar month of CEAP application are considered as income.

(3) The value of resources not listed as excluded in WAC 388-436-0040 is considered available to meet the emergent needs of the CEAP assistance unit.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-436-0035, filed 7/31/98, effective 9/1/98.]

WAC 388-436-0040 Excluded income and resources for CEAP. Resources and income listed below will not be considered in determining need or payment for CEAP:

- (1) A home as defined under WAC 388-470-0045;
- (2) One vehicle, running and used regularly by the assistance unit, with an equity value not to exceed one thousand five hundred dollars);
- (3) Household furnishings being used by the assistance unit;

- (4) Personal items being used by members of the assistance unit;
- (5) Tools and equipment being used in the applicant's occupation;
- (6) The value of the coupon allotment under the Food Stamp Act of 1977, as amended;
- (7) Benefits received under the women, infants and children program (WIC) of the Child Nutrition Act of 1966, as amended, and the special food service program for children under the National School Lunch Act, as amended;
- (8) Energy assistance payments;
- (9) Grants, loans, or work study to a student under Title IV of the Higher Education Amendments or Bureau of Indian Affairs for attendance costs as identified by the institution;
- (10) Income and resources of an SSI recipient;
- (11) Livestock when the products are consumed by members of the assistance unit;
- (12) All resources and income excluded for the TANF program under WAC 388-470-0045 and by federal law.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057. WSR 04-05-010, § 388-436-0040, filed 2/6/04, effective 3/8/04. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-436-0040, filed 7/31/98, effective 9/1/98.]

WAC 388-436-0045 Income deductions for CEAP. The following deductions are allowed when determining the CEAP assistance unit's net income:

- (1) A ninety dollar work expense from each member's earned income;
- (2) Actual payments made by a member with earned income for care of a member child up to the following maximums:

Hours Worked Per Month	Each Child Under Two Years	Each Child Two Years Or Older
0 - 40	\$ 50.00	\$ 43.75
41 - 80	100.00	87.50
81 - 120	150.00	131.25
121 or More	200.00	175.00

- (3) Verified expenses for members of the assistance unit during the current month as follows:
 - (a) Medical bills;
 - (b) Child care paid in an emergency in order to avoid abuse;
 - (c) Dental care to relieve pain; or
 - (d) Costs incurred in obtaining employment.
 - (e) For the disaster cash assistance program (DCAP), disaster related expenses and/or losses suffered as a result of the disaster and the expense and/or loss is not anticipated to be reimbursed during the month of application.

[Statutory Authority: RCW 74.04.050, 74.04.055, and 2008 c 181 § 301(6). WSR 08-18-008, § 388-436-0045, filed 8/22/08, effective 9/22/08. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-436-0045, filed 7/31/98, effective 9/1/98.]

WAC 388-436-0050 Determining financial need and benefit amount for CEAP. (1) To be eligible for the consolidated emergency assistance program (CEAP), the assistance unit's nonexcluded income, minus allowable deductions, must be less than or equal to ninety percent of the temporary assistance for needy families (TANF) payment standard. The net income limit for CEAP assistance units is:

Assistance unit members	Net income limit
1	\$375
2	475
3	589
4	694
5	799
6	908
7	1,049
8 or more	1,160

(2) The assistance unit's allowable amount of need is the lesser of:

(a) The TANF payment standard, based on assistance unit size, as specified under WAC 388-478-0020; or

(b) The assistance unit's actual emergent need, not to exceed maximum allowable amounts, for the following items:

Need item: Maximum allowable amount by assistance unit size:

	1	2	3	4	5	6	7	8 or more
Food	\$253	\$322	\$397	\$469	\$539	\$612	\$699	\$773
Shelter	308	390	485	572	657	744	863	952
Clothing	36	45	56	66	76	89	98	112
Minor medical care	214	273	338	397	458	516	603	665
Utilities	105	132	163	191	220	253	292	322
Household maintenance	76	97	121	140	163	185	214	235
Job related transportation	417	528	654	771	888	1,009	1,165	1,289
Child related transportation	417	528	654	771	888	1,009	1,165	1,289

(3) The assistance unit's CEAP payment is determined by computing the difference between the allowable amount of need, as determined under subsection (2) of this section, and the total of:

(a) The assistance unit's net income, as determined under subsection (1) of this section and WAC 388-436-0045;

(b) Cash on hand, if not already counted as income; and

(c) The value of other nonexcluded resources available to the assistance unit.

(4) The assistance unit is not eligible for CEAP if the amount of income and resources, as determined in subsection (3) of this section, is equal to or exceeds its allowable amount of need.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.660, 74.08.090, 74.08A.230 and 2021 c 334. WSR 21-21-054, § 388-436-0050, filed 10/15/21, effective 11/15/21. Statutory Authority: RCW 74.04.050, 74.08.090, 74.08A.230, 2018 c 299 and 2017 c 1. WSR 18-09-088, § 388-436-0050, filed 4/17/18, effective 7/1/18. Statutory Authority: RCW 74.04.050, 74.08.090, 74.08A.230, and 2015 3rd sp.s. c 4 § 207. WSR 16-01-093, § 388-436-0050, filed 12/15/15, effective 1/15/16. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057,

74.04.770, 74.08.090, and chapters 74.08A and 74.12 RCW. WSR 11-16-029, § 388-436-0050, filed 7/27/11, effective 8/27/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.660. WSR 09-14-040, § 388-436-0050, filed 6/24/09, effective 7/25/09. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 74.08.090. WSR 08-18-009, § 388-436-0050, filed 8/22/08, effective 9/22/08; WSR 98-16-044, § 388-436-0050, filed 7/31/98, effective 9/1/98.]

WAC 388-436-0055 What is the disaster cash assistance program (DCAP)? Disaster cash assistance program (DCAP) is paid through the consolidated emergency assistance program (CEAP) and is designed to provide cash assistance to individuals and families who face an emergency and do not have the money to meet their basic needs.

- (1) DCAP is available if you meet all of the following:
 - (a) You suffered losses;
 - (b) You live in an area that has been declared a disaster or where the Governor has declared a state of emergency;
 - (c) You are a resident of Washington state as defined in WAC 388-468-0005;
 - (d) Your net income is under the limits in WAC 388-436-0050(1); and
 - (e) You or your family are not eligible for any other program that could meet your need as stated in WAC 388-436-0030.
- (2) In the event of a declared disaster, you must also meet the following:
 - (a) You are not able to live in your home or you cannot return to your home because of the disaster; and
 - (b) Your home in the disaster area is your primary residence (not a vacation home) and you were living there at the time of the declared disaster.
- (3) Applicants must demonstrate a financial need for emergency funds for one or more of the following basic requirements:
 - (a) Food;
 - (b) Shelter;
 - (c) Clothing;
 - (d) Minor medical care;
 - (e) Utilities;
 - (f) Household maintenance supplies; or
 - (g) Necessary clothing or transportation costs to accept or retain a job; or
 - (h) Transportation for a minor, not in foster care, to a home where care will be provided by family members or approved caretakers.
- (4) DCAP benefits are only available to households when the Governor issues an order under RCW 74.04.660(6) extending CEAP benefits to households without children.
- (5) Payments under this program are limited to not more than thirty consecutive days within a period of twelve consecutive months, except when this limitation under RCW 74.04.660(1) is waived by proclamation of the Governor. The Governor's proclamation will determine the frequency if the thirty day limitation is waived.
- (6) The department may discontinue program benefits issuances when the state of emergency or disaster declaration ends or when the Governor's Order under RCW 74.04.660(6) or the authority thereunder expires or is terminated.
- (7) The department may discontinue the program benefits issuances when the funds appropriated for DCAP are exhausted.

[Statutory Authority: RCW 74.04.050 and 74.04.055. WSR 21-17-092, § 388-436-0055, filed 8/13/21, effective 9/13/21. Statutory Authority: RCW 74.04.050, 74.04.055, and 2008 c 181 § 301(6). WSR 08-18-008, § 388-436-0055, filed 8/22/08, effective 9/22/08.]

WAC 388-436-0060 How much money can I receive from the disaster cash assistance program (DCAP)? The amount of money you can get from DCAP depends on your available resources, income and household size as determined below:

(1) Available resources and income are determined by using WAC 388-436-0035. Excluded resources and income is in WAC 388-436-0040.

(2) We determine your income based on gross anticipated income for the month of application.

(3) The maximum amount of money you can receive depends on the size of your household as determined by WAC 388-436-0050(2).

(4) Your household consists of anyone living with you who you have financial responsibility for or with whom you share financial responsibility for the household such as:

(a) Your spouse;

(b) Domestic partner; or

(c) Your children or step-children.

(5) How much DCAP you may receive is determined according to calculations described in WAC 388-436-0050(3).

[Statutory Authority: RCW 74.04.050 and 74.04.055. WSR 20-17-059, § 388-436-0060, filed 8/12/20, effective 9/12/20. Statutory Authority: RCW 74.04.050, 74.04.055, and 2008 c 181 § 301(6). WSR 08-18-008, § 388-436-0060, filed 8/22/08, effective 9/22/08.]