

WAC 388-828-9330 How does DDA determine your employment status?

(1) The developmental disabilities administration (DDA) considers your employment status "working" if:

(a) In the twelve months before your assessment:

(i) You have been employed for nine consecutive months; and

(ii) You have earned at least Washington state's minimum wage; or

(b) You are currently self-employed and:

(i) The activities of your employment meet the Internal Revenue Service (IRS) rules for a business;

(ii) You have a business plan demonstrating feasibility as determined by the division of vocational rehabilitation or an impartial, agreed upon, third-party business expert; and

(iii) You are licensed, if required, and follow all local, state, and federal regulations and rules.

(2) DDA considers your employment status "working at sub-minimum wage or in job development" if you do not meet the conditions in subsection (1) of this section.

[Statutory Authority: RCW 71A.12.030, 71A.12.040, 71A.12.120, and 34.05.330. WSR 19-06-053, § 388-828-9330, filed 3/4/19, effective 4/4/19. Statutory Authority: RCW 71A.12.030, 71A.12.040, 2015 3rd sp.s. c 4, and 42 C.F.R. § 441.301 (c)(4)-(5). WSR 18-03-174, § 388-828-9330, filed 1/23/18, effective 2/23/18. Statutory Authority: RCW 71A.12.030 and 2012 c 49. WSR 13-01-076, § 388-828-9330, filed 12/18/12, effective 1/18/13.]