

WAC 110-85-0140 Modification of GAP agreement. (1) The terms of a GAP agreement may be modified only if both the guardian and the department agree to the modification. The department will consider a modification when:

(a) Requested by the guardian;

(b) Specific circumstances warrant renegotiation and adjustment of the GAP cash payment as determined by the department; or

(c) The child or youth is placed outside of the guardian's home and the guardian is not providing financial or other support for the care of the child or youth.

(2) Guardians may request a modification to the GAP agreement at any time.

(3) When guardians request to modify their GAP agreement's cash payment:

(a) Guardians must:

(i) Submit their request in writing to the regional GAP gatekeeper explaining how the child's or youth's needs or circumstances of the family have changed.

(ii) Provide supporting documentation upon the department's request.

(b) The regional GAP gatekeeper must initiate a review of the GAP agreement no later than 30 calendar days after receipt of the guardian's request for modification.

(c) Guardians and the department will renegotiate the GAP cash payment.

(4) If the guardians and the department agree to modify the GAP agreement:

(a) The regional GAP gatekeeper will use the date the department received the guardian's written request for the modification as the effective date on the modified GAP agreement.

(b) Guardians and the department must sign an amendment to the GAP agreement.

(5) If the guardians and department cannot reach an agreement on the modification, the department will deny the guardian's request for modification and provide them with written notice of the denial and their right to appeal the denial, per chapter 110-03 WAC.

[Statutory Authority: RCW 74.13.062, 13.36.090, and 42 U.S.C. 673. WSR 24-11-074, § 110-85-0140, filed 5/15/24, effective 6/15/24.]