

WSR 22-14-046

EMERGENCY RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed June 28, 2022, 7:40 a.m., effective July 1, 2022]

Effective Date of Rule: July 1, 2022.

Purpose: The department is adopting emergency amendments to WAC 388-436-0050 Determining financial need and benefit amount for CEAP and 388-478-0005 Cash assistance need and payment standards and grant maximum.

These amendments reflect a change in the temporary assistance for needy families (TANF) and state family assistance (SFA) maximum benefit limit, from an eight-person household to 10-person household, effective July 1, 2022, per the 2021-2023 supplemental operating budget. Amendments to update related net income limits and allowable benefit amounts for the consolidated emergency assistance program, which are based on the TANF standards, are also included.

Citation of Rules Affected by this Order: Amending WAC 388-436-0050 and 388-478-0005.

Statutory Authority for Adoption: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.660, 74.04.770, 74.04.0052, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.08A.120, 74.08A.230, and 74.62.030.

Other Authority: Section 205 (1) (b) (v), chapter 297, Laws of 2022.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest; and that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: This emergency adoption increases cash payment standards thereby providing essential supports to individuals and families necessary for the preservation of public welfare.

The 2021-2023 supplemental operating budget (section 205 (1) (b) (v), chapter 297, Laws of 2022) also supports immediate adoption of amendments to this rule, effective July 1, 2022.

The department filed the CR-101 under WSR 22-09-072, and continues to undertake appropriate procedures to adopt the rule amendments as permanent.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: June 28, 2022.

Katherine I. Vasquez
Rules Coordinator

SHS-4928.1

AMENDATORY SECTION (Amending WSR 21-21-054, filed 10/15/21, effective 11/15/21)

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~~) 90% 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
<u>9</u>	<u>1,274</u>
<u>10 or more</u>	<u>1,385</u>

(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)	9	<u>10 or more</u>
Food	\$253	\$322	\$397	\$469	\$539	\$612	\$699	\$773	<u>\$864</u>	<u>\$939</u>
Shelter	308	390	485	572	657	744	863	952	<u>1,048</u>	<u>1,139</u>
Clothing	36	45	56	66	76	89	98	112	<u>127</u>	<u>139</u>
Minor medical care	214	273	338	397	458	516	603	665	<u>736</u>	<u>800</u>
Utilities	105	132	163	191	220	253	292	322	<u>354</u>	<u>385</u>
Household maintenance	76	97	121	140	163	185	214	235	<u>255</u>	<u>277</u>
Job related transportation	417	528	654	771	888	1,009	1,165	1,289	<u>1,416</u>	<u>1,539</u>
Child related transportation	417	528	654	771	888	1,009	1,165	1,289	<u>1,416</u>	<u>1,539</u>

(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.]

AMENDATORY SECTION (Amending WSR 20-20-007, filed 9/24/20, effective 10/25/20)

WAC 388-478-0005 Cash assistance need and payment standards and grant maximum. (1) Need standards for cash assistance programs represent the amount of income required by individuals and families to maintain a minimum and adequate standard of living. Need standards are based on assistance unit size and include basic requirements for food, clothing, shelter, energy costs, transportation, household maintenance and operations, personal maintenance, and necessary incidentals.

(2) Payment standards for assistance units in medical institutions and other facilities are based on the need for clothing, personal maintenance, and necessary incidentals (see WAC 388-478-0006).

(3) Need and payment standards for persons and families who do not reside in medical institutions and other facilities are based on program grant standards.

~~((4) Starting July 1, 2012, the monthly cash assistance grant for an assistance unit cannot exceed the payment standard for a family of 8 listed in WAC 388-478-0020(1).))~~

[Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.04.0052, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.08A.120, 74.08A.230, 74.62.030 and 2020 c 357. WSR 20-20-007, § 388-478-0005, filed 9/24/20, effective 10/25/20. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.04.510, and 2011 1st sp.s. c 15. WSR 13-18-005, § 388-478-0005, filed 8/22/13, effective 10/1/13. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08A.100, 74.04.770, 74.08.090, and 2012 2nd sp.s. c 7. WSR 12-18-023, § 388-478-0005, filed 8/27/12, effective 9/27/12. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08A.100, 74.04.770, and 74.08.090. WSR 11-21-024, § 388-478-0005, filed 10/11/11, effective 11/11/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08A.100, 74.04.770, 74.08.090, and

2008 c 329 § 207 (1)(e). WSR 08-21-134, § 388-478-0005, filed 10/20/08, effective 10/28/08. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057. WSR 04-05-010, § 388-478-0005, 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, § 388-478-0005, filed 7/31/98, effective 9/1/98.]