

**WSR 22-24-099**  
**EXPEDITED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed December 6, 2022, 2:25 p.m.]

Title of Rule and Other Identifying Information: WAC 388-310-0100 WorkFirst—Purpose and 388-450-0165 Gross earned income limit for TANF/SFA.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These amendments revise obsolete policy language that was not updated when related TANF laws changed in 1999. With the passage of P.L. 104-193, there is no longer a requirement under federal law for a pregnant person with no other eligible child to be in their third trimester to qualify for TANF. In addition, these amendments remove references to the "general assistance for pregnant women," which is not a current public assistance program which provides WorkFirst services.

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.04.515, 74.08.090, and 74.08A.120.

Statute Being Implemented: Not applicable.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Sarah Garcia, P.O. Box 45470, Olympia, WA 98504, 360-522-2214.

This notice meets the following criteria to use the expedited adoption process for these rules:

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate:

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Katherine Vasquez, Department of Social and Health Services, 1115 Washington Street S.E., Olympia, phone 360-664-6097, fax 360-664-6185, email

DSHSRPAURulesCoordinator@dshs.wa.gov, AND RECEIVED BY February 7, 2023.

December 6, 2022  
Katherine I. Vasquez  
Rules Coordinator

**SHS-4946.1**

AMENDATORY SECTION (Amending WSR 10-22-061, filed 10/29/10, effective 12/1/10)

**WAC 388-310-0100 WorkFirst—Purpose. (1) What is the WorkFirst program?**

The WorkFirst program offers services and activities to help people in low-income families find jobs, keep their jobs, find better jobs, and become self-sufficient. The program links families to a variety of state, federal, and community resources to meet this goal. When you enter the WorkFirst program, you will be asked to work, look for work, and/or prepare for work.

**(2) Who does the WorkFirst program serve?**

The WorkFirst program serves two groups:

- (a) Parents and children age (~~sixteen~~) 16 or older who receive cash assistance under the temporary assistance for needy families (TANF) (~~(, general assistance for pregnant women (GA-S))~~) or state family assistance (SFA) programs; and
- (b) Low-income parents who support their family without applying for or relying on cash assistance.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 74.08.090. WSR 10-22-061, § 388-310-0100, filed 10/29/10, effective 12/1/10. Statutory Authority: RCW 74.08.090 and 74.04.050. WSR 99-08-051, § 388-310-0100, filed 4/1/99, effective 5/2/99; WSR 97-20-129, § 388-310-0100, filed 10/1/97, effective 11/1/97.]

AMENDATORY SECTION (Amending WSR 04-05-010, filed 2/6/04, effective 3/8/04)

**WAC 388-450-0165 Gross earned income limit for TANF/SFA.** When applying the gross earned income limit as required under WAC 388-478-0035:

- (1) "Family" means:
  - (a) All adults and children who would otherwise be included in the assistance unit under WAC 388-408-0015, but who do not meet TANF/SFA eligibility requirements;
  - (b) The unborn child of a (~~woman in her third trimester of pregnancy~~) pregnant person; and
  - (c) The (~~husband~~) spouse of a (~~woman in her third trimester of pregnancy~~) pregnant person, when residing together.
- (2) "Gross earned income" does not include excluded income, as provided in WAC 388-450-0015.

(3) The following amounts are disregarded when determining a family's gross earned income:

(a) Court or administratively ordered current or back support paid to meet the needs of legal dependents, up to:

(i) The amount actually paid; or

(ii) A one-person need standard for each legal dependent.

(b) Authorized ongoing additional requirement payment as defined in chapter 388-473 WAC.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057. WSR 04-05-010, § 388-450-0165, 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, § 388-450-0165, filed 7/31/98, effective 9/1/98.]