

WSR 23-06-037

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed February 23, 2023, 2:26 p.m., effective March 26, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department is adopting amendments to WAC

388-310-0100 WorkFirst—Purpose, and 388-450-0165 Gross earned income limit for TANF/SFA, to 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 "general assistance for pregnant women" which is not a current assistance program that provides WorkFirst services.

Citation of Rules Affected by this Order: Amending WAC 388-310-0100 and 388-450-0165.

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.

Adopted under notice filed as WSR 22-24-099 on December 6, 2022.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.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: February 23, 2023.

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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.]