

**WSR 23-18-042**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**CHILDREN, YOUTH, AND FAMILIES**  
[Filed August 30, 2023, 10:43 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 21-15-012.

Title of Rule and Other Identifying Information: WAC 110-15-0023 Homeless grace period (HGP) and 110-15-0024 Categorical eligibility for families receiving child protective, child welfare, or family assessment response services.

Hearing Location(s): On October 10, 2023, telephonic. Make oral comments by calling 360-972-5385 and leaving a voicemail that includes the comment and an email address or physical mailing address where the department of children, youth, and families (DCYF) will send its response. Comments received through and including October 10, 2023, will be considered.

Date of Intended Adoption: October 11, 2023.

Submit Written Comments to: DCYF rules coordinator, email [dcyf.rulescoordinator@dcyf.wa.gov](mailto:dcyf.rulescoordinator@dcyf.wa.gov), <https://dcyf.wa.gov/practice/policy-laws-rules/rule-making/participate/online>, by October 10, 2023.

Assistance for Persons with Disabilities: Contact DCYF rules coordinator, phone 360-902-7956, email [dcyf.rulescoordinator@dcyf.wa.gov](mailto:dcyf.rulescoordinator@dcyf.wa.gov), <https://dcyf.wa.gov/practice/policy-laws-rules/rule-making/participate/online>, by October 3, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: DCYF is amending these rules to extend the HGP and to open the care up to more providers. This rule also removes the 12-month gap requirement between HGPs as funded in ESSB 5187.

Reasons Supporting Proposal: See purpose.

Statutory Authority for Adoption: Chapters 43.215 and 43.216 RCW.

Statute Being Implemented: Chapters 43.215 and 43.216 RCW.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Not applicable.

Name of Proponent: DCYF, governmental.

Name of Agency Personnel Responsible for Drafting: Jason Ramynke, 360-688-0911; Implementation and Enforcement: DCYF, statewide.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. DCYF is not among the agencies listed as required to comply with RCW 34.05.328 (5)[(a)](i). Further, DCYF does not voluntarily make that section applicable to the adoption of this rule.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.

Scope of exemption for rule proposal:

Is fully exempt.

August 30, 2023  
Brenda Villarreal  
Rules Coordinator

## OTS-4717.1

AMENDATORY SECTION (Amending WSR 20-15-161, filed 7/22/20, effective 8/22/20)

**WAC 110-15-0023 Homeless grace period (HGP).** (1) A homeless grace period (HGP) is established as described in this section.

~~(2) ((DCYF may grant a consumer experiencing homelessness a twelve-month grace period to submit the documentation described in this subsection. The children of the consumer experiencing homelessness may receive WCCC services during the HGP. Within twelve months of the child being authorized in the WCCC program, the consumer must submit to DCYF:~~

~~(i) Documentation verifying participation in an approved activity as described in WAC 110-15-0040, 110-15-0045, or 110-15-0050;~~

~~(ii) Third-party verification of employment; and~~

~~(iii) Verification that any outstanding copayment owed by the consumer has been paid or written verification of a payment plan agreed to by the child care provider who is owed the outstanding copayment.~~

~~(3) A consumer is eligible for HGP if the consumer:~~

~~(a) Is experiencing, and DCYF verifies, homelessness at the time of the consumer's application for benefits;~~

~~(b) Has not been approved for HGP within the previous twelve months; and~~

~~(c) Except for the requirements described in subsection (1) of this section, meets all eligibility requirements described in this chapter.~~

~~(4)) A family experiencing homelessness at the time the consumer applies for child care subsidy is eligible for HGP under this section when:~~

~~(a) They meet all eligibility requirements described in WAC 110-15-0005, except for WAC 110-15-0005 (1) (d) and (f); and~~

~~(b) Their household income is under 85 percent of the state median income (SMI).~~

~~(3) Consumers approved by DCYF for HGP are eligible to receive:~~

~~(a) A ((twelve)) 12-month certification period;~~

~~(b) A copayment waiver; and~~

~~(c) An authorization for full-time care as described in WAC 110-15-0190.~~

~~((5) Authorizations for HGP eligible consumers may only be authorized for licensed care, certified care, or DCYF contracted provider care.~~

~~(6) Consumers authorized care under HGP must provide required verification when reapplying at the end of their certification as described in WAC 110-15-0109.~~

~~(7)) (4) Consumers approved under HGP are not subject to overpayment unless the consumer obtained benefits by failing to report accurate information that resulted in an error in determining the consumer's eligibility for HGP.~~

[Statutory Authority: RCW 43.216.055 and 43.216.065. WSR 20-15-161, § 110-15-0023, filed 7/22/20, effective 8/22/20. WSR 18-14-078, recodified as § 110-15-0023, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 43.215.060, 43.215.070, and chapter 43.215 RCW. WSR 17-12-013, § 170-290-0023, filed 5/26/17, effective 6/26/17.]

AMENDATORY SECTION (Amending WSR 19-12-058, filed 5/31/19, effective 7/1/19)

**WAC 110-15-0024 Categorical eligibility for families receiving child protective, child welfare, or family assessment response services.** (1) Families with children who have received child protective services as defined and used by chapters 26.44 and 74.13 RCW, child welfare services as defined and used by chapter 74.13 RCW, or services through a family assessment response, as defined and used by chapter 26.44 RCW in the six months previous to application or reapplication for working connections child care (WCCC) benefits are eligible for WCCC benefits for a (~~twelve~~) 12-month period if, in addition the:

- (a) Consumer is a Washington state resident;
- (b) Family has been referred for child care as part of the family's case management as defined by RCW 74.13.020; and
- (c) Child or children are residing with a biological parent or guardian.

(2) Families eligible for WCCC under this section will:

- (a) Have no copayment;
- (b) Be authorized for full-time child care regardless of participation in an approved activity; and
- (c) Be eligible to have benefits paid only to a (~~licensed, certified, or contracted child care~~) provider that meets the requirements in WAC 110-15-0125.

[Statutory Authority: RCW 43.216.055 and 43.216.065. WSR 19-12-058, § 110-15-0024, filed 5/31/19, effective 7/1/19.]