

**WSR 24-02-041
EMERGENCY RULES
DEPARTMENT OF**

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed December 27, 2023, 12:06 p.m., effective January 1, 2024]

Effective Date of Rule: January 1, 2024.

Purpose: The department is adopting emergency amendments to WAC 388-478-0055 How much do I get from my state supplemental payments (SSP)? These amendments clarify the cost-of-living-adjustment (COLA) to SSP standards for medically institutionalized recipients of SSI, as determined by the Social Security Administration.

Citation of Rules Affected by this Order: Amending WAC 388-478-0055.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120, and 74.08A.250.

Other Authority: RCW 74.09.340.

Under RCW 34.05.350 the agency for good cause finds 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: RCW 74.09.340 requires the residential personal needs allowance for medically institutionalized individuals to be adjusted according to the percentage of COLA determined by SSA. These amendments clarify how this impacts recipients of SSP.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: December 27, 2023.

Katherine I. Vasquez
Rules Coordinator

SHS-5015.3

AMENDATORY SECTION (Amending WSR 23-24-009, filed 11/27/23, effective 12/28/23)

WAC 388-478-0055 How much do I get from my state supplemental payments (SSP)? (1) The SSP is a state-funded cash assistance program issued to certain individuals who the Social Security Administration (SSA) determines are eligible for supplemental security income (SSI) as described in WAC 388-474-0012.

(2) Monthly SSP rate standards for eligible persons as described in WAC 388-474-0012 are:

(a) \$38.25 for:

- (i) Individuals with an ineligible spouse;
- (ii) Aged 65 and older;
- (iii) Blind as determined by SSA; or
- (iv) Disabled as determined by SSA.

(b) Between \$0.54 and \$199.77 for grandfathered clients as defined in 388-474-0001 and varies by individual based on federal requirements.

(c) \$70.00 as of July 2023 for individuals residing in a medical institution. It is based on increasing the federal SSI personal needs allowance (PNA) of \$30.00 up to the current Washington state institutional PNA standard described in subsection (5) of WAC 182-513-1105. Starting January 1, 2024, this payment increases annually by a cost-of-living-adjustment (COLA) determined by SSA. The current state PNA standard for institutional apple health is located at <https://www.hca.wa.gov/free-or-low-cost-health-care/i-help-others-apply-and-access-apple-health/program-standard-income-and-resources>.

(3) A change in living situation, cost-of-living-adjustment (~~((COLA))~~), or federal benefit rate (FBR) can affect a grandfathered client. A grandfathered client gets a federal SSI payment and a SSP payment, which totals the higher of one of the following:

(a) The state assistance standard set in December 1973, unless you lived in a medical institution at the time of conversion, plus the federal COLA since then; or

(b) The current payment standard.

(4) SSP rate standards may be adjusted at the end of the calendar year to comply with WAC 388-478-0057.