WSR 26-20-059
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed October 1, 2026, 10:13 a.m., effective November 1, 2026]

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

Purpose: The department of social and health services is adopting amendments to WAC 388-450-0015 What types of income are not used by the department to figure out my benefits?, 388-466-0120 Refugee cash assistance (RCA), and 388-466-0140 Income and resources for refugee cash assistance eligibility. These amendments update income disregard rules for the RCA program, pursuant to federal regulations. As applicable, amendments make other changes to improve clarity, update policy, and better align rules with state or federal laws. Related emergency rules currently in place via WSR 26-18-038.

Citation of Rules Affected by this Order: Amending WAC 388-450-0015, 388-466-0120, and 388-466-0140.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.300, 74.04.500, 74.04.510, 74.04.515, 74.08.090, 74.08A.010, 74.08A.120, 74.08A.250, 74.08A.903, and 82.08.0206.

Other Authority: Federal Office of Refugee Resettlement revised Policy Letter 23-04 (Income Disregards for Refugee Cash Assistance).

Adopted under notice filed as WSR 26-17-099 on August 19, 2026.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 3, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

Date Adopted: October 1, 2026.

Katherine I. Vasquez
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SHS-5145.2

AMENDATORY SECTION (Amending WSR 26-13-005, filed 6/3/26, effective 7/4/26)

WAC 388-450-0015 What types of income are not used by the department to figure out my benefits? (1) We do not count the following types of income when we determine your cash assistance and basic food benefits:

(a) Bona fide loans as defined in WAC 388-470-0045, except certain student loans as specified under WAC 388-450-0035;

(b) Federal income tax refunds, earned income tax credit (EITC), and Washington's working families tax credit (WFTC) payments in the month received;

(c) Federal economic stimulus payments that are excluded for federal and federally assisted state programs;

(d) Federal $25 supplemental weekly unemployment compensation payments authorized by the American Recovery and Reinvestment Act of 2009;

(e) Title IV-E and state foster care maintenance payments if you choose not to include the foster child in your assistance unit (AU);

(f) Educational assistance we do not count under WAC 388-450-0035;

(g) Native American benefits and payments we do not count under WAC 388-450-0040;

(h) Income from employment and training programs we do not count under WAC 388-450-0045;

(i) Money withheld from a benefit to repay an overpayment from the same income source;

(j) One-time cash payments issued ((~~under the Department of State or Department of Justice reception and replacement programs, such as voluntary agency (VOLAG) payments~~)) as part of the federal refugee resettlement program used to cover direct costs of initial resettlement;

(k) Payments we are directly told to exclude as income under state or federal law;

(l) Payments made to someone outside of the household for the benefits of the AU using funds that are not owed to the household;

(m) Distributions for qualified disability expenses from an achieving a better life experience (ABLE) account; and

(n) Medicare advantage supplemental benefits.

(2) For basic food only:

(a) We do not count the total monthly amount of all legally obligated current or back child support payments paid by the AU to someone outside of the AU for:

(i) A person who is not in the AU; or

(ii) A person who is in the AU to cover a period of time when they were not living with the member of the AU responsible for paying the child support on their behalf;

(b) We do count money withheld because you were overpaid for not meeting requirements of a federal, state, or local means tested programs such as temporary assistance for needy families (TANF), state family assistance (SFA), aged, blind, or disabled (ABD) cash assistance, pregnant women assistance (PWA), and supplemental security income (SSI); and

(c) We do not count energy assistance payments:

(i) Provided under federal law such as LIHEAP or HUD payments.

(ii) Provided under state law for households that include an elderly or disabled AU member.

(3) For cash only we do not count:

(a) Income received under RCW 43.03.230, to compensate participation in part-time boards and commissions.

(b) Energy assistance payments.

(c) For TANF and SFA recipients, legally obligated, current child support payments as defined in WAC 388-422-0005.

AMENDATORY SECTION (Amending WSR 25-20-049, filed 9/25/25, effective 10/26/25)

WAC 388-466-0120 Refugee cash assistance (RCA). (1) **Who can apply for refugee cash assistance (RCA)?**

Anyone can apply to the department of social and health services (DSHS) for refugee cash assistance and have their eligibility determined within 30 days.

(2) **How do I know if I qualify for RCA?**

You may be eligible for RCA if you meet the following conditions:

(a) You meet the immigration status requirements of WAC 388-466-0005;

(b) You have had the qualifying immigration status described in subsection (a) of this section for less than the duration of the program as determined by the director of the federal office of refugee resettlement;

(c) You meet the income and resource requirements under chapters 388-450 and 388-470 WAC, except we do not count a one-time ((~~resettlement~~)) cash payment ((~~that a~~)) issued as part of the federal refugee resettlement ((~~agency may use~~)) program used to cover direct ((~~assistance~~)) costs of initial resettlement((~~, such as rent, household goods, and other essential needs~~)) (WAC 388-466-0140);

(d) You meet the work and training requirements of WAC 388-466-0150; and

(e) If you are a refugee, you provide the name of the resettlement agency which resettled you.

(3) **What are the other reasons for not being eligible for RCA?**

You may not be able to get RCA if you:

(a) Are eligible for temporary assistance for needy families (TANF); or

(b) Have been denied TANF due to your refusal to meet TANF eligibility requirements; or

(c) Are employable and have, without good cause, voluntarily quit or refused to accept a bona fide offer of employment within 30 consecutive days immediately prior to your application for RCA; or

(d) Are a full-time student in a college or university.

(4) **What if I am 65 years of age or older, blind, or disabled?**

You may be eligible for supplemental security income (SSI). If you also meet the eligibility requirements for RCA, you may be eligible to receive RCA benefits for the duration of the program as determined by the director of the federal office of refugee resettlement or until SSI benefits are authorized, whichever occurs sooner.

(5) **If I meet the requirements for the RCA program, what date will be used as the start date of the RCA benefit period?**

The date that will be used as the start of the RCA benefit period is the date that you qualify for federal refugee resettlement services based on your immigration status.

(a) The start date of the RCA benefit period will be the date you entered the United States if you are a(n):

(i) Refugee;

(ii) Amerasian;

(iii) Special Immigrant Visa (SIV) holder from Iraq or Afghanistan;

(iv) Afghan Special Immigrant Parolee (SI/SQ); or

(v) Afghan individual with Special Immigrant (SI) Conditional Permanent Residence (CPR).

(b) If you are a Cuban-Haitian entrant, the start date of the RCA benefit period is the date you met the definition of a Cuban-Haitian entrant as defined in 45 C.F.R. Part 401.2.

(c) If you are an asylee, the start date of the RCA benefit period will be the date that your asylum status is granted. For example: You entered the United States on December 1, 2021, as a tourist, then applied for asylum on April 1, 2022, interviewed with the asylum office on July 1, 2022, and were granted asylum on September 1, 2022. September 1, 2022, will be used as the start date of your RCA benefit period.

(d) If you are certified as a victim of human trafficking, the start date of the RCA benefit period will be the date on the certification, eligibility, or interim assistance letter from the federal U.S. Department of Health and Human Services (HHS).

(e) If you are a Ukrainian humanitarian parolee that entered the United States between February 24, 2022, and September 30, 2023, the start date of the RCA benefit period is May 21, 2022, or the date you were granted parole, whichever is later. If you entered the United States between October 1, 2023, and September 30, 2024, your date of eligibility is April 24, 2024, or the date you were granted parole, whichever is later.

(f) If you are an Afghan humanitarian parolee that entered the United States between July 31, 2021, and September 30, 2023, the start date of the RCA benefit period is October 1, 2021, (if you entered between July 31, 2021, and September 30, 2021) or the date you "entered the community," whichever is later.

(6) **If I am a victim of human trafficking, what kind of documentation do I need to provide to be eligible for RCA?**

You are eligible for RCA to the same extent as a refugee if you are:

(a) An adult victim, 18 years of age or older, you provide the original certification letter from the U.S. Department of Health and Human Services (HHS), and you meet eligibility requirements in subsection (2) of this section. You do not have to provide any other documentation of your immigration status.

(b) A child victim under the age of 18, in which case you do not need to be certified. HHS issues a special eligibility or interim assistance letter for children. Children also have to meet income eligibility requirement;

(c) A family member of a certified victim of human trafficking, you have a T-2, T-3, T-4, T-5, or T-6 Visa (Derivative T-Visas), and you meet the eligibility requirements in subsections (2)(c) and (d) of this section.

(7) **When can I start receiving RCA?**

The date DSHS has sufficient information to make an eligibility decision is the date you can start receiving RCA (WAC 388-406-0055).

(8) **How long can I receive RCA benefits?**

(a) You can receive RCA benefits for the duration of the program as determined by the director of the federal office of refugee resettlement starting from the date you qualify for services through the federal office of refugee resettlement (ORR).

(b) The benefit period for RCA begins the date you are eligible for ORR services, not the date of application for RCA. The actual number of months you receive RCA benefits depends on the date you apply and are approved for RCA. You will only be able to receive RCA for the number of months between RCA approval and the last day of the benefit

for the program as determined by the director of ORR, which is calculated from your date of eligibility for ORR services.

(c) If you get a job, your income will affect your RCA based on the TANF rules (chapter 388-450 WAC). If you earn more than is allowed by WAC 388-478-0035, you are no longer eligible for RCA.

(d) The number of months that you may receive RCA benefits could change if the federal office of refugee resettlement changes the eligibility period.

(9) **Are there other reasons why RCA may end?**

Your RCA also ends if:

(a) You move out of Washington state;

(b) Your unearned income or resources go over the maximum limit (WAC 388-466-0140); or

(c) You, without good cause, refuse to meet refugee employment and training requirements (WAC 388-466-0150).

(10) **Will my spouse be eligible for RCA, if they arrive in the U.S. after me?**

When your spouse arrives in the United States, DSHS determines their eligibility for RCA and other income assistance programs.

(a) Your spouse may be eligible for RCA for the duration of the program as determined by the director of the federal office of refugee resettlement. The date your spouse qualifies for RCA is based on the date they qualify for federal refugee services through the federal office of refugee resettlement.

(b) If you live together, you and your spouse are part of the same assistance unit and your spouse's eligibility for RCA is determined based on you and your spouse's combined income and resources (WAC 388-466-0140).

(11) **What can I do if I disagree with a decision or action that has been taken by DSHS on my case?**

If you disagree with a decision or action taken on your case by the department, you have the right to request a review of your case or an administrative hearing (WAC 388-02-0090). Your request must be made within 90 days of the date of the decision or action.

AMENDATORY SECTION (Amending WSR 12-19-037, filed 9/12/12, effective 10/13/12)

WAC 388-466-0140 Income and resources for refugee cash assistance eligibility. (1) **How does DSHS count my income and resources when determining my eligibility for refugee cash assistance?**

We determine your eligibility for RCA using the TANF rules about income and resources in chapters 388-450 and 388-470 WAC, except we do not count a ((~~onetime resettlement~~)) one-time cash payment ((~~provided to you by your voluntary agency (VOLAG)~~)) issued as part of the federal refugee resettlement program used to cover direct costs of initial resettlement.