Effective Date of Rule: July 1, 2022.

Purpose: The department is amending WAC 388-424-0015 Immigrant eligibility restrictions for the state family assistance, ABD cash, and PWA programs.

Effective July 1, 2022, these amendments are necessary to implement HB 1748 (chapter 208, Laws of 2022) and expand aged, blind, or disabled program and housing and essential needs referral eligibility to victims of human trafficking (as defined in RCW 74.04.005).

Citation of Rules Affected by this Order: Amending WAC 388-424-0015.

Statutory Authority for Adoption: RCW 41.05.021, 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.770, 74.04.805, 74.04.820, 74.08.090, 74.08A.100, 74.08A.120, 74.09.035, 74.09.530, and 74.62.030.

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: These amendments are necessary to implement HB 1748 (chapter 208, Laws of 2022), which takes effect July 1, 2022.

The department is actively taking appropriate steps to adopt the rule as permanent, and filed notice of its intent under WSR 22-11-081.

Certified on 9/28/2022

Katherine I. Vasquez
Rules Coordinator
WAC 388-424-0015 Immigrant eligibility restrictions for the state family assistance (SFA), ABD cash, and PWA programs. (1) To receive state family assistance (SFA) benefits, you must be:
(a) A "qualified alien" as defined in WAC 388-424-0001 who is ineligible for temporary assistance to needy families (TANF) due to the five-year bar as described in WAC 388-424-0006((3));
(b) A "nonqualified alien" who meets the Washington state residency requirements (as listed) in WAC 388-468-0005, including a non-citizen American Indian who does not meet the criteria in WAC 388-424-0001; or
(c) A "survivor of certain crimes" as defined in WAC 388-424-0001((4)).
(2) To receive aged, blind, or disabled (ABD) cash or pregnant women assistance (PWA) benefits, you must be:
(a) A "U.S. citizen" as defined in WAC 388-424-0001;
(b) A "U.S. national" as defined in WAC 388-424-0001;
(c) An American Indian born outside the U.S.;
(d) A "qualified alien" ((or similarly defined lawful immigrant such as victim of trafficking)) as defined in WAC 388-424-0001; or
(e) A "nonqualified alien" as defined ((described)) in WAC 388-424-0001 who((i)), United States Immigration and Customs Enforcement is not taking steps to enforce their departure; or
((ii) Has verified their intent to stay in the United States indefinitely; and
((ii) The United States Immigration and Customs Enforcement is not taking steps to enforce their departure.))
(f) A "survivor of certain crimes" as defined in WAC 388-424-0001.