

WSR 25-20-054

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed September 25, 2025, 2:51 p.m., effective October 26, 2025]

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

Purpose: The department of social and health services is adopting amendments to WAC 388-450-0070 When do we count a child's income? These amendments clarify rules for irrevocable educational trusts as authorized by RCW 74.12.350.

Citation of Rules Affected by this Order: Amending WAC 388-450-0070.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.12.350.

Adopted under notice filed as WSR 25-15-098 on July 16, 2025.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.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: September 25, 2025.

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SHS-5091.1

AMENDATORY SECTION (Amending WSR 17-05-006, filed 2/2/17, effective 3/5/17)

**WAC 388-450-0070 When do we count a child's income?** (1) For food assistance, we do not count a child's earned income if the child is:

- (a) In school;
- (b) Age (~~seventeen~~) 17 or younger;
- (c) Not married; and

(d) Living with a natural parent, adoptive parent, or stepparent or is under the parental control of a household member other than a parent.

(2) For cash assistance, we do not count a child's earnings if the child (~~is~~):

- (a) (~~In~~) Is in school(~~;~~ and

~~(b) Meets~~) and meets the age and attendance requirements in WAC 388-404-0005; or

(b) Has their income placed in a irrevocable trust for future educational needs for that child, up to \$4,000.

(3) School includes:

(a) Participating in a home-school program that is approved by the superintendent of public instruction; or

(b) On break between school terms when the child:

(i) Was enrolled during the previous school term; and

(ii) Plans to return to school when it reopens.