

**WSR 25-20-075  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed September 29, 2025, 2:35 p.m., effective September 29, 2025, 2:35 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The department of social and health services (department) is adopting emergency amendments to WAC 388-444-0030 Are able-bodied adults without dependents (ABAWD) subject to additional work requirements and time limits to be eligible for basic food?, and 388-444-0035 Who is exempt from ABAWD time limits and minimum work requirements? These amendments are necessary to implement changes in exceptions to ABAWD time limits as passed in H.R.1, P.L. 119-21, effective July 4, 2025.

Citation of Rules Affected by this Order: Amending WAC 388-444-0030 and 388-444-0035.

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

Other Authority: H.R. 1 - One Big Beautiful Bill Act (P.L. 119-21).

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: Emergency rule making is justified because of the federal deadline imposed. The department is concurrently proceeding with the permanent rule-making process.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 2, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: September 26, 2025.

Katherine I. Vasquez  
Rules Coordinator

**SHS-5111.1**

AMENDATORY SECTION (Amending WSR 24-05-071, filed 2/20/24, effective 3/22/24)

**WAC 388-444-0030 Are able-bodied adults without dependents (ABAWD) subject to additional work requirements and time limits to be**

**eligible for basic food?** (1) An able-bodied adult without dependents (ABAWD) is a person who:

- (a) Is age 18 through 64 beginning July 4, 2025 (~~(+)~~) (~~((i) 50 from September 1, 2023, to September 30, 2023;~~ ~~(ii) 52 from October 1, 2023, to September 30, 2024;~~ ~~(iii) 54 beginning October 1, 2024))~~; and

(b) Is fit for work and not exempted under WAC 388-444-0035.

(2) A nonexempt ABAWD is not eligible to receive food assistance for more than three full months (which do not have to be consecutive months), not including any partial benefit months in a 36-month period, unless the ABAWD:

(a) Works an average of 80 hours per month, including:

- (i) Work in exchange for money;
- (ii) Work in exchange for goods or services ("in kind" work);
- (iii) Unpaid work that is verified according to department re-

quirements; or

(iv) Any combination of (a)(i) through (iii) of this subsection (~~(+)~~).

(b) Participates in one of the following work programs and is meeting the requirements of that work program:

(i) The Workforce Innovation and Opportunity Act of 2014;

(ii) Section 236 of the Trade Act of 1974;

(iii) A state-approved employment and training program at least an average of 80 hours per month; or

(c) Participates in an unpaid work program as provided in WAC 388-444-0040.

AMENDATORY SECTION (Amending WSR 25-15-022, filed 7/7/25, effective 8/7/25)

**WAC 388-444-0035 Who is exempt from ABAWD time limits and minimum work requirements?** Some people who receive basic food are exempt from able-bodied adult without dependents (ABAWD) time limits and minimum work requirements. You are exempt from ABAWD time limits and work requirements under WAC 388-444-0030 if you meet any one or more of the following:

(1) You are exempt from work requirements under WAC 388-444-0010;

(2) You are defined as:

(a) An Indian or Urban Indian as defined in section 4 paragraphs 13 and 18 of the Indian Health Care Improvement Act; or

(b) A California Indian as described in section 809(a) of the Indian Health Care Improvement Act.

(3) You are under age 18 or are age (~~(+)~~

~~(a) 51 or older from September 1, 2023, to September 30, 2023;~~

~~(b) 53 or older beginning October 1, 2023, through September 30, 2024; and~~

~~(c) 55 or older beginning October 1, 2024))~~ 65 or older beginning July 4, 2025.

(3) You receive temporary or permanent disability benefits issued by a governmental or private source;

(4) You are obviously mentally or physically unfit for employment as determined by the department; however, if the unfitness is not obvious, you must provide a statement that you are physically or mentally unfit for employment from a physician, physician's assistant, nurse, nurse practitioner, designated representative of the physi-

cian's office, licensed or certified psychologist, social worker, or any other medical personnel the department determines appropriate;

(5) You are an adult in a basic food assistance unit that has a family member who is under the age of ~~((18))~~ 14;

(6) You are pregnant;

(7) ~~((You are homeless, including individuals who will imminently lose their nighttime residence;~~

~~(8) You are a veteran defined as an individual who, regardless of the conditions of their discharge or release from, served in the United States Armed Forces (such as Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, and National Guard), including an individual who served in a reserve component of the Armed Forces, or served as a commissioned officer of the Public Health Service, Environmental Scientific Services Administration, or the National Oceanic and Atmospheric Administration;~~

~~(9) You are 24 or younger, and were:~~

~~(a) In foster care as defined in RCW 74.13.020 at the time of your 18th birthday; or~~

~~(b) Under extended foster care services as defined in RCW 74.13.336;~~

~~(10))~~ You live in an area approved as exempt by U.S. Department of Agriculture (USDA); or

~~((11))~~ (8) You are eligible for one of the approved exemption slots under the USDA discretionary exemptions rule.