

WSR 25-22-026
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed October 27, 2025, 2:32 p.m., effective November 27, 2025]

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

Purpose: The department of social and health services is adopting amendments to WAC 388-400-0065 Housing and essential needs (HEN). These amendments implement provisions of ESSB 5232 (chapter 408, Laws of 2025), related to the HEN program.

Citation of Rules Affected by this Order: Amending WAC 388-400-0065.

Statutory Authority for Adoption: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.770, 74.08.025, 74.08.090, 74.08A.100, and 74.62.030.

Other Authority: ESSB 5232 (chapter 408, Laws of 2025).

Adopted under notice filed as WSR 25-17-064 on August 18, 2025.

Changes Other than Editing from Proposed to Adopted Version: Included additional grammatical edits and clarifying information.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.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: October 27, 2025.

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Rules Coordinator

SHS-5101.2

AMENDATORY SECTION (Amending WSR 13-24-044, filed 11/26/13, effective 1/1/14)

WAC 388-400-0065 Housing and essential needs (HEN). (1) For the purposes of this chapter:

(a) "Commerce" means the Washington state department of commerce.

(b) "Department" means the department of social and health services (DSHS).

(c) "Housing support" means assistance provided to maintain existing housing or to obtain housing or utilities.

(d) "Essential needs items" means personal health and hygiene items, cleaning supplies, transportation passes, and other personal needs items.

(2) What is housing and essential needs (HEN)? Within available funds, HEN provides housing support and essential needs items to eligible individuals.

(3) Who administers HEN? HEN is administered by commerce through its network of local contracted HEN providers.

(4) Who determines eligibility for a referral to HEN?

(a) The department determines eligibility for referral to the HEN program under WAC 388-400-0055, 388-400-0060, and 388-400-0070 and sends you a HEN referral notice (~~(to say whether you are)~~) when you become eligible for a referral.

(b) After the department determines you are eligible for a HEN referral, the local HEN provider decides whether you can receive HEN, and what benefits you can receive based on guidelines established by commerce and available funding.

~~((c) Within their funding, the local HEN provider can continue your benefits as long as you remain eligible for referral to the HEN program.))~~

(5) If your notice from the department says you are eligible for a HEN referral, you must contact your local HEN provider to apply for housing supports and essential needs items. Referral to the HEN program does not guarantee that you will receive HEN.