

Department of Social and Health Services

Olympia, Washington

WAC and EAZ Manual

Revision	# 866
Category	Assistance Units – Basic Food (WAC 388-408-0035)
Issued	September 6, 2013
Revision Author:	Bob Thibodeau
Division	CSD
Mail Stop	45470
Phone	360-725-4634
Email	thiborl@dshs.wa.gov

Summary

The Community Services Division (CSD) is amending rules under WAC 388-408-0035 to align Basic Food assistance unit rules with federal regulations regarding minor children not living with their parents.

The rule change and added clarifying information in the EAZ manual are efforts to be responsive to advocate concerns about homeless youth being able to access SNAP benefits. Under current rules, a child living in the home of a non-parental adult who is not providing for them financially must be included in the adult's Basic Food assistance unit (AU) if they do not have adequate income. The change, adopting the less restrictive language of the CFR, is intended to allow a homeless youth to be considered a separate AU even if they have little or no income. See track changes for WAC and manual material below.

WAC 388-408-0035 Who is in my assistance unit for Basic Food?

1. For Basic Food, a person must be in your assistance unit (AU) if they live in the same home as you and:
 - a. Regularly buy food **or** prepare meals with you; or
 - b. You provide meals for them and they pay less than a reasonable amount for meals.
2. If the following people live with you, they must be in your AU even if you do not usually buy or prepare food together:
 - a. Your spouse;

- b. Your parents if you are under age twenty-two (even if you are married);
- c. Your children under age twenty-two;
- d. The parent of a child who must be in your AU;
- e. A child other than a foster child under age eighteen who doesn't live with their parent unless the child:
 - i. Is emancipated; or
 - ~~ii. Gets a TANF grant in their own name; or~~
 - ~~iii. ii. Is not financially dependent on an adult in the AU because they get and have control of income of at least the TANF payment standard under WAC 388-478-0020(2) before taxes or other withholdings.~~

3. *****(no other changes to WAC)

CLARIFYING INFORMATION

4. Homeless Youth:

If a minor is homeless and is temporarily living at the residence of an adult who is not their parent **and** does not provide for them financially ~~or otherwise~~, they **are not** considered to be under parental control and can be their own assistance unit.

Examples of when a minor is not under parental control include, but are not limited to when the minor is:

- Receiving a TANF grant as their own payee; or
- Receiving, as the person's own payee, gross income equal to or exceeding the TANF grant payment standard; and
- Living in the home of a non-parental adult temporarily with no intention to remain permanently.

A minor is not required to have a residence or income to be eligible for Basic Food. A child should not be considered "financially dependent" unless the child receives significant and sustained financial or other in-kind support from a non-parental adult.

If ~~they~~ the minor regularly buys and prepares food with ~~the others in the household~~, they everyone who does must be in the same assistance unit for Basic Food.

While ~~T~~there are no special eligibility requirements for homeless youth, they must be provided the same rights, protection, and accommodations as homeless individuals, including the exception to the requirement to verify residency. Other important considerations include:

- Homeless youth's ~~but their~~ living arrangements are often different than many other households as they commonly share the housing of others in temporary, informal conditions.
- Unlike foster or kinship care, these adults have no legal responsibility or authority to control the youth. They often provide temporary shelter, which may be inadequate and often unsafe for the

youth. Youth may move on a weekly or even daily basis.

- There isn't a minimum age requirement to apply for Basic Food. If there isn't an adult exercising parental control of a minor, the minor can apply on their own behalf.
- Homeless youth may not have readily available photo ID. Just as with adults, we can accept a collateral contact to verify identity as needed and we must assist the youth in gathering needed verification.
- There is no requirement to provide information about persons outside of their household including the youth's parents. We would only request information on their parent's whereabouts if the individual circumstances of the case are questionable.