

Department of Social and Health Services

Olympia, Washington

Social Services Manual

Revision # 79

CATEGORY **Sanctions – SSI Applications**

[HTTP://WWW.DSHS.WA.GOV/MANUALS/SOCIALSERVICES/SECTIONS/ SSIF_I_SANCTIONS.SHTML](http://www.dshs.wa.gov/manuals/socialservices/sections/ssif_i_sanctions.shtml)

Issued **July 1, 2010**

Revision Author: Melissa Mathson

Division CSD

Phone (360) 725-4563

Email melissa.mathson@dshs.wa.gov

Summary : SSI sanction section was revised to comply with WAC 388-448-0200 – SSI applications are a condition of eligibility for disabled DL recipients.

SANCTIONS – SSI APPLICATIONS

Revised February 4, 2010

Purpose: Social workers are agents of change who empower our clients to improve their own lives.

WAC 388-448-0200

Effective May 1, 2004

WAC 388-448-0200 Can I get general assistance while waiting for Supplemental Security Income (SSI)?

1. You may receive general assistance benefits while you are waiting to receive Social Security Supplemental Security Income (SSI) benefits only when you:
 - a. Have filed your SSI application with the Social Security Administration (SSA), follow through

with SSA directions and requirements to process your application including keeping all interview and consultative examination appointments, and do not withdraw your application;

- b. Agree to assign the initial or reinstated SSI payment to us provided under WAC [388-448-0210](#);
 - c. Are otherwise eligible according to [388-400-0025](#); and
 - d. Meet incapacity criteria listed in [388-448-0001](#).
2. When we obtain certification that you are likely to qualify for SSI, we also approve categorical needy medical coverage under [388-505-0110](#).

This is a reprint of the official rule as published by the [Office of the Code Reviser](#). If there are previous versions of this rule, they can be found using the [Legislative Search page](#).

CLARIFYING INFORMATION

1. For a person identified as potentially disabled, or when a person has filed a SSI application on their own, compliance with DSHS and SSA is a **condition of eligibility** for DL.
2. When cash assistance has been terminated because the person failed to comply with pursuing disability benefits even if they claim good cause, only authorize further DL cash assistance after the person verifies they have taken action to comply.

WAC 388-448-0140

Effective August 1, 2001

WAC 388-448-0140 When does a person have good cause for refusing failing to participate in medical treatment or referrals other agencies?

1. When you refuse or fail to participate in required medical treatment or referrals to other agencies, you may claim good cause by providing a reason for your refusal or failure. We determine whether your reason is valid. We may require you to provide proof to support your good cause claim. These rules do not apply to participation requirements listed in WAC chapter 388-448-02XX. Valid reasons for refusing or failing to participate in medical treatment:
 - a. You are so fearful of the treatment that your fear could interfere with the treatment or reduce its benefits;
 - b. The treatment provider has identified a risk that the treatment may cause further limitations or loss of a function or an organ and you are not willing to take that risk;
 - c. You practice an organized religion that prohibits treatment; or
 - d. We determine that treatment is not available because you can't obtain it without cost to you.
2. Valid reasons for refusing or failing to participate in referrals to other agencies:
 - a. You are unable to participate because we didn't give you enough information about the requirement;
 - b. You didn't receive written notice of the requirement;
 - c. The requirement was made in error;

- d. You provide proof of interference beyond your control that temporarily prevented you from participating, or
- e. Your medical condition or limitations are consistent with the need for necessary supplemental accommodation (NSA), [WAC 388-472-0020](#), and contributed to your refusal or failure per [WAC 388-472-0050](#).

This is a reprint of the official rule as published by the [Office of the Code Reviser](#). If there are previous versions of this rule, they can be found using the [Legislative Search page](#).

CLARIFYING INFORMATION

Only the following good cause reasons listed for refusing agency referrals apply to failure to comply with SSI facilitation requirements :

Valid reasons for refusing treatment or other agency referrals:

- a. We did not give you enough information about the requirement;
- b. You did not receive written notice of the requirement;
- c. The requirement was made in error;
- d. You are temporarily unable to participate because of documented interference, or
- e. Your medical condition or limitations are consistent with the definition of necessary supplemental accommodation (NSA), [WAC 388-472-0020](#), and your condition or limitations contributed to your refusal per [WAC 388-472-0050](#).

NOTE:	Since following through with SSI is a condition of eligibility, the person must comply with signing the IARA and completing the SSI application process – The good cause reasons apply to whether a sanction will be imposed, but the person must comply with SSI facilitation or benefits are terminated.
--------------	--

EXAMPLE

Amy missed her SSI application appointment with the SSIF on June 5th. The SSIF the good cause letter (form 14-1509) with an appointment scheduled for June 17th to discuss good cause for failure to file the SSI application. The SSIF schedules adequate time for Amy to complete the SSI application on the 17th. Amy comes to the appointment and shows proof that she was in the emergency room on June 5th, but she does not want to stay to complete the SSI application. Even though Amy had good cause to miss her first appointment, the SSIF must terminate her benefits if she does not complete the SSI application.

WORKER RESPONSIBILITIES

If a person fails to apply for SSI, or follow through with **any** SSA requirement:

1. Send [form 14-509](#) Good Cause letter to schedule an appointment with a SSIF.
2. If the person had good cause for failing to comply with the SSI application process, explain the requirement and coordinate with DDDS or SSA to help the person fulfill the requirement.
3. If the person failed to file an SSI application, reconsideration, or hearing request, complete the application or request for appeal at the good cause appointment regardless of whether good cause is established.
4. Use the 14-118 to notify financial services to terminate DL cash benefits until the person has signed the IARA, filed the SSI application, completed the consultative examination, or any other SSA requirement regardless of whether good cause is established.
5. If the person complies with signing the IARA or the SSA application process requirement before DL benefits have terminated, use the 14-118 to notify financial services to reinstate DL benefits because the person has cured their sanction prior to termination.
6. Apply the appropriate penalty using a 14-118 when there isn't good cause for non-participation and the person didn't comply with signing the IARA or other SSA requirement before GA benefits ended.

EXAMPLE

Ken is receiving DL-U, but does not appear to be disabled based on the medical evidence he provided. Ken applied for SSI on his own and is required to follow with the SSI application process. Ken failed to appear for the consultative exam scheduled by DDDS and states that he didn't feel like seeing a doctor on the day of the exam. Ken's DL is terminated due to failure to comply with the SSI application process and he isn't eligible to receive DL benefits until after he reschedules the consultative exam appointment **and** serves the sanction penalty period.

WAC 388-448-0150

Effective September 1, 2000

WAC 388-448-0150 Penalty for refusing medical treatment or other agency referrals

1. If you refuse or failure to participate in required medical treatment or agency referral without having good cause, we will terminate your disability lifeline benefits.
2. You are ineligible for cash and medical benefits will until you participate in:
 - (a) Chemical dependency treatment as required under WAC 388-448-0220.
 - (b) Obtaining federal aid assistance as required under WAC 388-448-0200.
3. If we terminate your disability lifeline benefits because you didn't have good cause to refuse, or fail to participate in, other required medical treatment services or referrals to other agencies, you are not eligible for cash and medical benefits until you verify that you have agreed to accept and pursue the medical treatment service or referral to other agencies.
4. If you reapply for disability lifeline, you must participate as described in section (2) and (3) and wait for a penalty period to pass before you begin receiving benefits. The penalty is based on how often you have refused:

Refusal	Penalty
First	One week
Second within six months	One month
Third and subsequent within one year	Two months

This is a reprint of the official rule as published by the [Office of the Code Reviser](#). If there are previous versions of this rule, they can be found using the [Legislative Search page](#).

CLARIFYING INFORMATION

The period of ineligibility penalty begins the date of re-application, verification of participation, or the first of the following month, whichever is later.

Impose a subsequent period of ineligibility (second, third, and subsequent failures) when there is an

additional refusal to cooperate with the **SSI application process**.

[Search IESA Clarification Database](#)

Email [Melissa Mathson](#) with comments or questions regarding the Social Services Manual. For problems with the website, see info below.

[▲ BACK TO TOP](#)

Modification Date: February 4, 2010

Have comments on the manual? Please [e-mail us](#). You can also use this link to report broken links or content problems.