



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Department of Social and Health Services, Economic Services Administration

- Preproposal Statement of Inquiry was filed as WSR: 15-15-158; or
- Expedited Rule Making--Proposed notice was filed as WSR: ___; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR:
- Continuance of WSR:

Title of rule and other identifying information: (Describe Subject)

The Department is proposing to amend WAC 388-478-0020, "Payment standards for TANF, SFA, and RCA.", WAC 388-478-0035, "What are the maximum earned income limits for TANF, SFA, PWA, and RCA?", and WAC 388-436-0050, "Determining financial need and benefit amount for CEAP."

Hearing location(s):

Office Building 2
DSHS Headquarters
1115 Washington
Olympia, WA 98504

Public parking at 11th and Jefferson. A map is available at:
<http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html>

Date: October 27, 2015 Time: 10:00 a.m.

Submit written comments to:

Name: DSHS Rules Coordinator
Address: PO Box 45850
Olympia, WA 98504
e-mail: DSHSRPAURulesCoordinator@dshs.wa.gov
fax: (360) 664-6185

by: 5:00 p.m. October 27, 2015

Assistance for persons with disabilities: Contact:
Jeff Kildahl, DSHS Rules Consultant by October 13, 2015
Phone: (360) 664-6092 or TTY: (360) 664-6178
Email: KildaJA@dshs.wa.gov

Date of intended adoption: Not earlier than October 28, 2015
(Note: This is **NOT** the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The Department is proposing to amend WAC 388-478-0020, WAC 388-478-0035, and WAC 388-436-0050 to implement a 9% increase in the payment standards for Temporary Assistance for Needy Families (TANF), State Family Assistance (SFA), and Refugee Cash Assistance (RCA), the financial need and benefit amount limits for the Consolidated Emergency Assistance Program (CEAP), and the 9% increase in the maximum earned income limits for the TANF, SFA, RCA, and the Pregnancy Women Assistance (PWA) programs.

These rules were amended via emergency adoption on July 1, 2015 as WSR 15-15-005.

Reasons supporting proposal:

The Washington State 2015-17 biennial operating budget (ESSB 6052 207) provides funding to increase the TANF, SFA, RCA, and CEAP payment standards by 9%. This increase will provide essential supports to needy families and their vulnerable children.

Statutory authority for adoption: RCW 74.04.050, RCW 74.08.090, and RCW 74.08A.230

Statute being implemented:

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE
August 26, 2015

NAME (type or print)
Katherine Vasquez

SIGNATURE

TITLE
DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 09, 2015

TIME: 10:30 AM

WSR 15-19-030

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization)

Department of Social and Health Services

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Leslie Kozak	PO Box 45470; Olympia, WA 98504-5470	(360) 725-4589
Implementation:	Leslie Kozak	PO Box 45470; Olympia, WA 98504-5470	(360) 725-4589
Enforcement:	Leslie Kozak	PO Box 45470; Olympia, WA 98504-5470	(360) 725-4589

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

Phone: ()

Fax: ()

e-mail

No. Explain why no statement was prepared.

The proposed rule does not have an economic impact on small businesses.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone: ()

fax: ()

e-mail:

No: Please explain:

This amendment is exempt as allowed under RCW 34.05.328(5)(b)(vii) which states in part, "[t]his section does not apply to...rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

AMENDATORY SECTION (Amending WSR 11-16-029, filed 7/27/11, effective 8/27/11)

WAC 388-478-0020 Payment standards for TANF, SFA, and RCA. (1) The maximum monthly payment standards for temporary assistance for needy families (TANF), state family assistance (SFA), and refugee cash assistance (RCA) assistance units with obligations to pay shelter costs are:

Assistance Unit Size	Payment Standard	Assistance Unit Size	Payment Standard
1	\$((305)) <u>332</u>	6	\$((736)) <u>802</u>
2	((385)) <u>420</u>	7	((850)) <u>927</u>
3	((478)) <u>521</u>	8	((941)) <u>1,026</u>
4	((562)) <u>613</u>	9	((1,033)) <u>1,126</u>
5	((648)) <u>706</u>	10 or more	((1,123)) <u>1,224</u>

(2) The maximum monthly payment standards for TANF, SFA, and RCA assistance units with shelter provided at no cost are:

Assistance Unit Size	Payment Standard	Assistance Unit Size	Payment Standard
1	\$((185)) <u>202</u>	6	\$((447)) <u>487</u>
2	((235)) <u>256</u>	7	((517)) <u>564</u>
3	((290)) <u>316</u>	8	((572)) <u>623</u>
4	((342)) <u>373</u>	9	((628)) <u>685</u>
5	((394)) <u>429</u>	10 or more	((683)) <u>744</u>

AMENDATORY SECTION (Amending WSR 12-10-042, filed 4/27/12, effective 6/1/12)

WAC 388-478-0035 What are the maximum earned income limits for TANF, SFA, PWA and RCA? To be eligible for temporary assistance for needy families (TANF), state family assistance (SFA), refugee cash assistance (RCA), or a pregnant women assistance (PWA), a family's gross earned income must be below the following levels:

Number of Family Members	Maximum Earned Income Level	Number of Family Members	Maximum Monthly Earned Income Level
1	\$((610)) <u>665</u>	6	\$((1,472)) <u>1,604</u>
2	((770)) <u>839</u>	7	((1,700)) <u>1,853</u>

Number of Family Members	Maximum Earned Income Level	Number of Family Members	Maximum Monthly Earned Income Level
3	<u>((955))</u> <u>1,042</u>	8	<u>((1,882))</u> <u>2,051</u>
4	<u>((1,124))</u> <u>1,225</u>	9	<u>((2,066))</u> <u>2,252</u>
5	<u>((1,295))</u> <u>1,413</u>	10 or more	<u>((2,246))</u> <u>2,448</u>

AMENDATORY SECTION (Amending WSR 11-16-029, filed 7/27/11, effective 8/27/11)

WAC 388-436-0050 Determining financial need and benefit amount for CEAP. (1) To be eligible for CEAP assistance, the assistance unit's nonexcluded income, minus allowable deductions, must be less than ninety percent of the TANF payment standard for households with shelter costs. The net income limit for CEAP assistance units is:

Assistance Unit Members	Net Income Limit
1	\$((275)) <u>300</u>
2	<u>((346)) 377</u>
3	<u>((429)) 468</u>
4	<u>((505)) 550</u>
5	<u>((582)) 634</u>
6	<u>((662)) 722</u>
7	<u>((762)) 834</u>
8 or more	<u>((847)) 923</u>

(2) The assistance unit's allowable amount of need is the lesser of:

(a) The TANF payment standard, based on assistance unit size, for households with shelter costs as specified under WAC 388-478-0020; or

(b) The assistance unit's actual emergent need, not to exceed maximum allowable amounts, for the following items:

Need Item: Maximum allowable amount by assistance unit size:

	1	2	3	4	5	6	7	8 or more
Food	\$((184)) <u>201</u>	\$((235)) <u>256</u>	\$((290)) <u>316</u>	\$((342)) <u>373</u>	\$((394)) <u>429</u>	\$((447)) <u>487</u>	\$((510)) <u>556</u>	\$((564)) <u>615</u>
Shelter	<u>((225)) 245</u>	<u>((284)) 310</u>	<u>((354)) 386</u>	<u>((417)) 455</u>	<u>((479)) 522</u>	<u>((543)) 592</u>	<u>((629)) 686</u>	<u>((695)) 758</u>
Clothing	<u>((26)) 28</u>	<u>((33)) 36</u>	<u>((41)) 45</u>	<u>((48)) 52</u>	<u>((55)) 60</u>	<u>((64)) 70</u>	<u>((72)) 78</u>	<u>((82)) 89</u>
Minor Medical Care	<u>((156)) 170</u>	<u>((199)) 217</u>	<u>((247)) 269</u>	<u>((290)) 316</u>	<u>((334)) 364</u>	<u>((377)) 411</u>	<u>((439)) 479</u>	<u>((485)) 529</u>
Utilities	<u>((76)) 83</u>	<u>((96)) 105</u>	<u>((119)) 130</u>	<u>((139)) 152</u>	<u>((161)) 175</u>	<u>((184)) 201</u>	<u>((213)) 232</u>	<u>((235)) 256</u>
Household maintenance	<u>((55)) 60</u>	<u>((71)) 77</u>	<u>((88)) 96</u>	<u>((103)) 112</u>	<u>((119)) 130</u>	<u>((135)) 147</u>	<u>((156)) 170</u>	<u>((172)) 187</u>
Job related transportation	<u>((305)) 332</u>	<u>((385)) 420</u>	<u>((478)) 521</u>	<u>((562)) 613</u>	<u>((648)) 706</u>	<u>((736)) 802</u>	<u>((850)) 927</u>	<u>((941)) 1,026</u>

	1	2	3	4	5	6	7	8 or more
Child related transportation	((305))	((385))	((478))	((562))	((648))	((736))	((850))	((941))
	<u>332</u>	<u>420</u>	<u>521</u>	<u>613</u>	<u>706</u>	<u>802</u>	<u>927</u>	<u>1,026</u>

(3) The assistance unit's CEAP payment is determined by computing the difference between the allowable amount of need, as determined under subsection (2) of this section, and the total of:

(a) The assistance unit's net income, as determined under subsection (1) of this section;

(b) Cash on hand, if not already counted as income; and

(c) The value of other nonexcluded resources available to the assistance unit.

(4) The assistance unit is not eligible for CEAP if the amount of income and resources, as determined in subsection (3) of this section, is equal to or exceeds its allowable amount of need.