



# RULE-MAKING ORDER

**CR-103E (July 2011)**  
**(Implements RCW 34.05.350)**

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

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:**

The department is amending the following rules to implement a 9% increase in the payment standards for TANF, SFA, RCA, and CEAP, and increase the maximum earned income limit by 9% for the TANF, SFA, RCA, PWA, and CEAP programs:

- 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?"
- WAC 388-436-0050, "Determining financial need and benefit amount for CEAP."

**Citation of existing rules affected by this order:**

- Repealed: None
- Amended: 388-478-0020, 388-478-0035, 388-436-0050
- Suspended: None

**Statutory authority for adoption:** RCW 74.08.090; RCW 74.08A.230

**Other authority:** State of Washington 2015-17 biennial operating budget (ESSB 6052 207).

**EMERGENCY RULE**

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

**Reasons for this finding:**

The Washington State 2015-17 biennial operating budget provides funding to increase the TANF payment standard by 9%. This increase will provide essential financial supports to needy families and their vulnerable children. The amendments are currently in place via emergency (WSR 15-15-005) which was filed on July 1, 2015. The emergency expires on October 29, 2015. The Department is concurrently working on a permanent rule filing process. The CR-102 was filed as WSR 15-19-030 on September 9, 2015. A public hearing is scheduled for October 27, 2015. This second emergency filing is to cover the timeframe between the emergency WAC expiration and the effective date of the permanent rule.

**Date adopted:**

October 22, 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: October 28, 2015**

**TIME: 11:23 AM**

**WSR 15-22-037**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	<u>3</u>	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	<u>3</u>	Repealed	_____

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	((955)) <u>1,042</u>	8	((1,882)) <u>2,051</u>
4	((1,124)) <u>1,225</u>	9	((2,066)) <u>2,252</u>
5	((1,295)) <u>1,413</u>	10 or more	((2,246)) <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	((346)) <u>377</u>
3	((429)) <u>468</u>
4	((505)) <u>550</u>
5	((582)) <u>634</u>
6	((662)) <u>722</u>
7	((762)) <u>834</u>
8 or more	((847)) <u>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	((225)) <u>245</u>	((284)) <u>310</u>	((354)) <u>386</u>	((417)) <u>455</u>	((479)) <u>522</u>	((543)) <u>592</u>	((629)) <u>686</u>	((695)) <u>758</u>
Clothing	((26)) <u>28</u>	((33)) <u>36</u>	((41)) <u>45</u>	((48)) <u>52</u>	((55)) <u>60</u>	((64)) <u>70</u>	((72)) <u>78</u>	((82)) <u>89</u>
Minor Medical Care	((156)) <u>170</u>	((199)) <u>217</u>	((247)) <u>269</u>	((290)) <u>316</u>	((334)) <u>364</u>	((377)) <u>411</u>	((439)) <u>479</u>	((485)) <u>529</u>
Utilities	((76)) <u>83</u>	((96)) <u>105</u>	((119)) <u>130</u>	((139)) <u>152</u>	((161)) <u>175</u>	((184)) <u>201</u>	((213)) <u>232</u>	((235)) <u>256</u>
Household maintenance	((55)) <u>60</u>	((71)) <u>77</u>	((88)) <u>96</u>	((103)) <u>112</u>	((119)) <u>130</u>	((135)) <u>147</u>	((156)) <u>170</u>	((172)) <u>187</u>
Job related transportation	((305)) <u>332</u>	((385)) <u>420</u>	((478)) <u>521</u>	((562)) <u>613</u>	((648)) <u>706</u>	((736)) <u>802</u>	((850)) <u>927</u>	((941)) <u>1,026</u>

	1	2	3	4	5	6	7	8 or more
Child related transportation	((305))	((385))	((478))	((562))	((648))	((736))	((850))	((944))
	<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.