



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 18, 2021

TIME: 10:40 AM

WSR 21-21-070

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

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 20, 2021

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 extending emergency amendments for WAC 388-478-0020, Payment standards for TANF, SFA and RCA; WAC 388-478-0027, What is the payment standard for pregnant women assistance (PWA)?; 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.

These amendments implement a 15% payment standard increase (effective July 1, 2021) for the TANF, SFA, RCA, and PWA programs, approved via the 2021-2023 Operating Budget. Amendments also update net income limits and allowable benefit amounts for the Consolidated Emergency Assistance Program.

Citation of rules affected by this order:

New: None
 Repealed: None
 Amended: WAC 388-478-0020, WAC 388-478-0027, WAC 388-478-0035, WAC 388-436-0050
 Suspended: None

Statutory authority for adoption: RCW 74.04.050, RCW 74.04.055, RCW 74.04.660, RCW 74.08.090, RCW 74.08A.230

Other authority: Engrossed Substitute Senate Bill 5092 (Chapter 334, Laws of 2021)

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.

Reasons for this finding: This rule filing increases cash payment standards thereby providing essential supports to individuals and families necessary for the preservation of public welfare.

Operating Budget- ESSB 5092 (Chapter 334, Laws of 2021), effective July 1, 2021, also supports immediate adoption of this rule.

The department filed CR-101 under WSR 21-13-014, and CR-102 under WSR 21-17-094, and continues to undertake procedures to adopt the rule as permanent .

**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:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	<u>4</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 on 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	<u>4</u>	Repealed	___
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The number of sections adopted using:

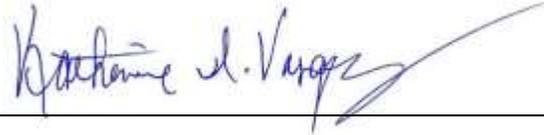
Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>4</u>	Repealed	___

Date Adopted: October 18, 2021

Name: Katherine I Vasquez

Title: DSHS Rules Coordinator

Signature:



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

Assistance unit members	Net income limit
1	((327)) <u>\$375</u>
2	((413)) <u>475</u>
3	((512)) <u>589</u>
4	((603)) <u>694</u>
5	((695)) <u>799</u>
6	((789)) <u>908</u>
7	((912)) <u>1,049</u>
8 or more	((1,009)) <u>1,160</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	((220)) <u>\$253</u>	((280)) <u>\$322</u>	((345)) <u>\$397</u>	((408)) <u>\$469</u>	((469)) <u>\$539</u>	((532)) <u>\$612</u>	((608)) <u>\$699</u>	((672)) <u>\$773</u>
Shelter	((268)) <u>308</u>	((339)) <u>390</u>	((422)) <u>485</u>	((497)) <u>572</u>	((571)) <u>657</u>	((647)) <u>744</u>	((750)) <u>863</u>	((828)) <u>952</u>
Clothing	((31)) <u>36</u>	((39)) <u>45</u>	((49)) <u>56</u>	((57)) <u>66</u>	((66)) <u>76</u>	((77)) <u>89</u>	((85)) <u>98</u>	((97)) <u>112</u>
Minor medical care	((186)) <u>214</u>	((237)) <u>273</u>	((294)) <u>338</u>	((345)) <u>397</u>	((398)) <u>458</u>	((449)) <u>516</u>	((524)) <u>603</u>	((578)) <u>665</u>
Utilities	((91)) <u>105</u>	((115)) <u>132</u>	((142)) <u>163</u>	((166)) <u>191</u>	((191)) <u>220</u>	((220)) <u>253</u>	((254)) <u>292</u>	((280)) <u>322</u>
Household maintenance	((66)) <u>76</u>	((84)) <u>97</u>	((105)) <u>121</u>	((122)) <u>140</u>	((142)) <u>163</u>	((161)) <u>185</u>	((186)) <u>214</u>	((204)) <u>235</u>
Job related transportation	((363)) <u>417</u>	((459)) <u>528</u>	((569)) <u>654</u>	((670)) <u>771</u>	((772)) <u>888</u>	((877)) <u>1,009</u>	((1,013)) <u>1,165</u>	((1,121)) <u>1,289</u>
Child related transportation	((363)) <u>417</u>	((459)) <u>528</u>	((569)) <u>654</u>	((670)) <u>771</u>	((772)) <u>888</u>	((877)) <u>1,009</u>	((1,013)) <u>1,165</u>	((1,121)) <u>1,289</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 and WAC 388-436-0045;

(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.

AMENDATORY SECTION (Amending WSR 20-20-007, filed 9/24/20, effective 10/25/20)

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

Assistance unit size	Payment standard	Assistance unit size	Payment standard
1	((363)) \$417	6	((877)) \$1,009
2	((459)) 528	7	((1,013)) 1,165
3	((569)) 654	8	((1,121)) 1,289
4	((670)) 771	9	((1,231)) 1,416
5	((772)) 888	10 or more	((1,338)) 1,539

AMENDATORY SECTION (Amending WSR 20-20-007, filed 9/24/20, effective 10/25/20)

WAC 388-478-0027 What is the payment standard for pregnant women assistance (PWA)? The payment standard for a PWA cash assistance unit is:

Assistance Unit Size	Payment Standard
1	((363)) \$417

AMENDATORY SECTION (Amending WSR 18-09-088, filed 4/17/18, effective 7/1/18)

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	(\$726) <u>\$834</u>	6	(\$1,754) <u>\$2,018</u>
2	((918)) <u>1,056</u>	7	((2,026)) <u>2,330</u>
3	((1,138)) <u>1,308</u>	8	((2,242)) <u>2,578</u>
4	((1,340)) <u>1,542</u>	9	((2,462)) <u>2,832</u>
5	((1,544)) <u>1,776</u>	10 or more	((2,676)) <u>3,078</u>