



# 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: June 28, 2022

TIME: 7:40 AM

WSR 22-14-046

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

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) July 1, 2022

**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 adopting emergency amendments to: WAC 388-436-0050, Determining financial need and benefit amount for CEAP and 388-478-0005, Cash assistance need and payment standards and grant maximum. These amendments reflect a change in the Temporary Assistance for Needy Families (TANF) and State Family Assistance (SFA) maximum benefit limit, from an eight-person household to ten-person household, effective July 1, 2022, per the 2021-2023 Supplemental Operating Budget. Amendments to update related net income limits and allowable benefit amounts for the Consolidated Emergency Assistance Program, which are based on the TANF standards, are also included.

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

New: None  
 Repealed: None  
 Amended: 388-436-0050, 388-478-0005  
 Suspended: None

**Statutory authority for adoption:** RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.660, 74.04.770, 74.04.0052, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.08A.120, 74.08A.230, and 74.62.030.

**Other authority:** Chapter 297, Laws of 2022, Section 205 (1)(b)(v)

**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 emergency adoption increases cash payment standards thereby providing essential supports to individuals and families necessary for the preservation of public welfare.

The 2021-2023 Supplemental Operating Budget (Chapter 297, Laws of 2022, Section 205(1)(b)(v)) also supports immediate adoption of amendments to this rule, effective July 1, 2022.

The department filed the CR-101 under WSR 22-09-072, and continues to undertake appropriate procedures to adopt the rule amendments 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>2</u>	Repealed	_____

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

New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**The number of sections adopted on the agency's own initiative:**

New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

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

New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**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>2</u>	Repealed	____

**Date Adopted:** June 28, 2022

**Name:** Katherine I. Vasquez

**Title:** DSHS Rule 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))~~ 90% of the temporary assistance for needy families (TANF) payment standard. The net income limit for CEAP assistance units is:

Assistance unit members	Net income limit
1	\$375
2	475
3	589
4	694
5	799
6	908
7	1,049
8 <del>((or more))</del>	1,160
<u>9</u>	<u>1,274</u>
<u>10 or more</u>	<u>1,385</u>

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

- (a) The TANF payment standard, based on assistance unit size, 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 <del>((or more))</del>	<u>9</u>	<u>10 or m ore</u>
Food	\$253	\$322	\$397	\$469	\$539	\$612	\$699	\$773	<u>\$864</u>	<u>\$939</u>
Shelter	308	390	485	572	657	744	863	952	<u>1,048</u>	<u>1,139</u>
Clothing	36	45	56	66	76	89	98	112	<u>127</u>	<u>139</u>
Minor medical care	214	273	338	397	458	516	603	665	<u>736</u>	<u>800</u>
Utilities	105	132	163	191	220	253	292	322	<u>354</u>	<u>385</u>
Household maintenance	76	97	121	140	163	185	214	235	<u>255</u>	<u>277</u>
Job related transportation	417	528	654	771	888	1,009	1,165	1,289	<u>1,416</u>	<u>1,539</u>
Child related transportation	417	528	654	771	888	1,009	1,165	1,289	<u>1,416</u>	<u>1,539</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 388-478-0005 Cash assistance need and payment standards and grant maximum.** (1) Need standards for cash assistance programs represent the amount of income required by individuals and families to maintain a minimum and adequate standard of living. Need standards are based on assistance unit size and include basic requirements for food, clothing, shelter, energy costs, transportation, household maintenance and operations, personal maintenance, and necessary incidentals.

(2) Payment standards for assistance units in medical institutions and other facilities are based on the need for clothing, personal maintenance, and necessary incidentals (see WAC 388-478-0006).

(3) Need and payment standards for persons and families who do not reside in medical institutions and other facilities are based on program grant standards.

~~((4) Starting July 1, 2012, the monthly cash assistance grant for an assistance unit cannot exceed the payment standard for a family of 8 listed in WAC 388-478-0020(1).))~~