



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 21, 2022

TIME: 12:44 PM

WSR 22-20-001

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

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) ___ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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 amendments to WAC 388-424-0015, Immigrant eligibility restrictions for the state family assistance, ABD cash, and PWA programs. These amendments are necessary to implement House Bill 1748 (Chapter 208, Laws of 2022) and expand Aged, Blind, or Disabled (ABD) program and Housing and Essential Needs (HEN) referral eligibility to victims of human trafficking (as defined in RCW 74.04.005).

Emergency amendments to implement this change took effect July 1, 2022 under WSR 22-14-047.

Citation of rules affected by this order:

New: None
 Repealed: None
 Amended: WAC 388-424-0015
 Suspended: None

Statutory authority for adoption: RCW 41.05.021, 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.770, 74.04.805, 74.04.820, 74.08.090, 74.08A.100, 74.08A.120, 74.09.035, 74.09.530, and 74.62.030.

Other authority: House Bill 1748 (Chapter 208, Laws of 2022)

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 22-16-078 on July 29, 2022 (date).
Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: N/A
 Address:
 Phone:
 Fax:
 TTY:
 Email:
 Web site:
 Other:

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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>1</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	Repealed	___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>1</u>	Repealed	___
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The number of sections adopted using:

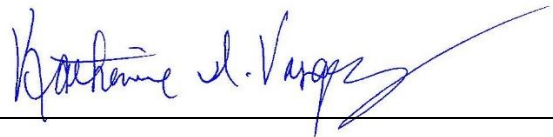
Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>1</u>	Repealed	___

Date Adopted: September 21, 2022

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-424-0015 Immigrant eligibility restrictions for the ((state family assistance)) SFA, ABD cash, and PWA programs. (1) To receive state family assistance (SFA) benefits, you must be:

(a) A "qualified alien" as defined in WAC 388-424-0001 who is ineligible for temporary assistance to needy families (TANF) due to the five-year bar as described in WAC 388-424-0006(~~(+3)~~);

(b) A "nonqualified alien" who meets the Washington state residency requirements (~~as listed~~) in WAC 388-468-0005, including a non-citizen American Indian who does not meet the criteria in WAC 388-424-0001; or

(c) A "survivor of certain crimes" as defined in WAC 388-424-0001(~~(+4)~~).

(2) To receive aged, blind, or disabled (ABD) cash or pregnant women assistance (PWA) benefits, you must be:

(a) A "U.S. citizen" as defined in WAC 388-424-0001;

(b) A "U.S. national" as defined in WAC 388-424-0001;

(c) An American Indian born outside the U.S.;

(d) A "qualified alien" (~~or similarly defined lawful immigrant such as victim of trafficking~~) as defined in WAC 388-424-0001; or

(e) A "nonqualified alien" as defined (~~described~~) in WAC 388-424-0001 who(~~+~~) , U.S. Immigration and Customs Enforcement is not taking steps to enforce their departure; or

(~~(i) Has verified their intent to stay in the United States indefinitely; and~~

(~~ii) The United States Immigration and Customs Enforcement is not taking steps to enforce their departure.~~)

(f) A "survivor of certain crimes" as defined in WAC 388-424-0001.