



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: April 05, 2023

TIME: 8:50 AM

WSR 23-08-082

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

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 388-61-001, How does the Family Violence Amendment affect me if I am getting TANF/SFA? to update an incorrect statutory reference for the definition of "family or household member".

Citation of rules affected by this order:

New: None
Repealed: None
Amended: WAC 388-61-001
Suspended: None

Statutory authority for adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.250

Other authority: See above

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 23-04-073 on 01/30/2023 (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:
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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	Repealed	___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:

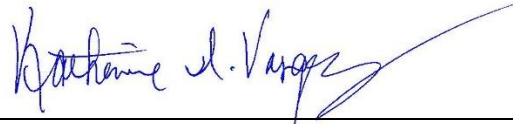
Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>1</u>	Repealed	___

Date Adopted: April 5, 2023

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-61-001 How does the Family Violence Amendment affect me if I am getting TANF/SFA? The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), also known as the Welfare Reform Act, allowed every state to create a program addressing family violence for temporary assistance for needy families (TANF) recipients.

(1) For TANF/state funded assistance (SFA), family violence is when a recipient, or family member or household member has been subjected by another family member or household member as defined in RCW ((26.50.010(2))) 7.105.010 to any of the following:

- (a) Physical acts that resulted in, or threatened to result in, physical injury;
- (b) Sexual abuse;
- (c) Sexual activity involving a dependent child;
- (d) Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;
- (e) Threats of or attempts at, physical sexual abuse;
- (f) Mental abuse;
- (g) Neglect or deprivation of medical care; or
- (h) Stalking.

(2) DSHS must:

(a) Screen and identify adults, minor teen parents, or emancipated teens getting TANF/SFA for a history of family violence;

(b) Notify in writing and verbally adults, minor teen parents, or emancipated teens getting TANF/SFA about the Family Violence Amendment;

(c) Maintain confidentiality as stated in RCW 74.04.060;

(d) Refer individuals needing counseling to supportive services;

(e) Waive WorkFirst requirements in cases where the requirements would make it more difficult to escape family violence, unfairly penalize victims of family violence, or place victims at further risk of family violence. This may include:

(i) Time limits for TANF/SFA recipients, for as long as necessary (after ((fifty-two)) 52 months of receiving TANF/SFA);

(ii) Cooperation with the division of child support.

(f) Develop specialized work activities for family violence clients, as defined in subsection (1) of this section if participation in work activities would place the recipients at further risk of family violence.