



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 25, 2025

TIME: 2:51 PM

WSR 25-20-054

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 388-450-0070, "*When do we count a child's income?*" These amendments clarify rules for irrevocable educational trusts as authorized by RCW 74.12.350.

Citation of rules affected by this order:

New: None
Repealed: None
Amended: WAC 388-450-0070
Suspended: None

Statutory authority for adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.12.350

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 25-15-098 on July 16, 2025 (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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New	_____	Amended	_____	Repealed	_____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New	_____	Amended	_____	Repealed	_____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	Repealed	_____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:

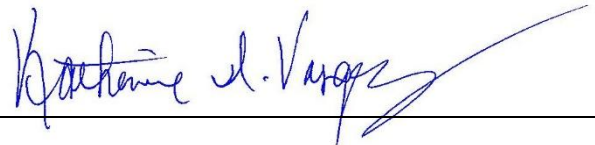
Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>1</u>	Repealed	_____

Date Adopted: September 25, 2025

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-450-0070 When do we count a child's income? (1) For food assistance, we do not count a child's earned income if the child is:

- (a) In school;
- (b) Age (~~(seventeen)~~) 17 or younger;
- (c) Not married; and

(d) Living with a natural parent, adoptive parent, or stepparent or is under the parental control of a household member other than a parent.

(2) For cash assistance, we do not count a child's earnings if the child (~~(is)~~):

- (a) (~~(In)~~) Is in school(~~(; and~~
- ~~(b) Meets~~) and meets the age and attendance requirements in WAC 388-404-0005; or

(b) Has their income placed in a irrevocable trust for future educational needs for that child, up to \$4,000.

(3) School includes:

(a) Participating in a home-school program that is approved by the superintendent of public instruction; or

(b) On break between school terms when the child:

- (i) Was enrolled during the previous school term; and
- (ii) Plans to return to school when it reopens.