

WSR 23-14-099
EMERGENCY RULES
DEPARTMENT OF

CHILDREN, YOUTH, AND FAMILIES

[Filed June 30, 2023, 2:10 p.m., effective July 1, 2023]

Effective Date of Rule: July 1, 2023.

Purpose: The department of children, youth, and families is amending these rules to extend the homeless grace period and to open child care up to more providers.

Citation of Rules Affected by this Order: Amending WAC 110-15-0023 and 110-15-0024.

Statutory Authority for Adoption: Chapters 43.215 and 43.216 RCW.

Other Authority: Chapter 199, Laws of 2021.

Under RCW 34.05.350 the agency for good cause finds 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: These changes must be in effect by July 1, 2023, as directed by the Fair Start for Kids Act legislation of 2021, chapter 199, Laws of 2021. These changes are also reflected in the governor's 2023 budget.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: June 30, 2023.

Brenda Villarreal
Rules Coordinator

OTS-4717.1

AMENDATORY SECTION (Amending WSR 20-15-161, filed 7/22/20, effective 8/22/20)

WAC 110-15-0023 Homeless grace period (HGP). (1) A homeless grace period (HGP) is established as described in this section.

(2) ~~((DCYF may grant a consumer experiencing homelessness a twelve-month grace period to submit the documentation described in this subsection. The children of the consumer experiencing homelessness may receive WCCC services during the HGP. Within twelve months of the child being authorized in the WCCC program, the consumer must submit to DCYF:~~

~~(i) Documentation verifying participation in an approved activity as described in WAC 110-15-0040, 110-15-0045, or 110-15-0050;~~

- ~~(ii) Third-party verification of employment; and~~
- ~~(iii) Verification that any outstanding copayment owed by the consumer has been paid or written verification of a payment plan agreed to by the child care provider who is owed the outstanding copayment.~~
- ~~(3) A consumer is eligible for HGP if the consumer:~~
 - ~~(a) Is experiencing, and DCYF verifies, homelessness at the time of the consumer's application for benefits;~~
 - ~~(b) Has not been approved for HGP within the previous twelve months; and~~
 - ~~(c) Except for the requirements described in subsection (1) of this section, meets all eligibility requirements described in this chapter.~~
- ~~(4)) A family experiencing homelessness at the time the consumer applies for child care subsidy is eligible for HGP under this section when:~~
 - ~~(a) They meet all eligibility requirements described in WAC 110-15-0005, except for WAC 110-15-0005 (1)(d) and (f); and~~
 - ~~(b) Their household income is under 85 percent of the state median income (SMI).~~
- ~~(3) Consumers approved by DCYF for HGP are eligible to receive:~~
 - ~~(a) A ((twelve)) 12-month certification period;~~
 - ~~(b) A copayment waiver; and~~
 - ~~(c) An authorization for full-time care as described in WAC 110-15-0190.~~
- ~~((5) Authorizations for HGP eligible consumers may only be authorized for licensed care, certified care, or DCYF contracted provider care.~~
- ~~(6) Consumers authorized care under HGP must provide required verification when reapplying at the end of their certification as described in WAC 110-15-0109.~~
- ~~(7)) (4) Consumers approved under HGP are not subject to overpayment unless the consumer obtained benefits by failing to report accurate information that resulted in an error in determining the consumer's eligibility for HGP.~~

AMENDATORY SECTION (Amending WSR 19-12-058, filed 5/31/19, effective 7/1/19)

WAC 110-15-0024 Categorical eligibility for families receiving child protective, child welfare, or family assessment response services. (1) Families with children who have received child protective services as defined and used by chapters 26.44 and 74.13 RCW, child welfare services as defined and used by chapter 74.13 RCW, or services through a family assessment response, as defined and used by chapter 26.44 RCW in the six months previous to application or reapplication for working connections child care (WCCC) benefits are eligible for WCCC benefits for a ((twelve)) 12-month period if, in addition the:

- (a) Consumer is a Washington state resident;
- (b) Family has been referred for child care as part of the family's case management as defined by RCW 74.13.020; and
- (c) Child or children are residing with a biological parent or guardian.

(2) Families eligible for WCCC under this section will:

- (a) Have no copayment;

(b) Be authorized for full-time child care regardless of participation in an approved activity; and

(c) Be eligible to have benefits paid only to a (~~licensed, certified, or contracted child care~~) provider that meets the requirements in WAC 110-15-0125.