



Parents Organizing for Welfare and Economic Rights

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Food Assistance

Dear Self Advocate,

We have included a worksheet where you can figure out your own food stamp amount as well as many of the rules guiding the food assistance program. Good luck and contact POWER with any questions.

Can I get Basic Food right away? WAC 388-406-0015

(1) When the department gets your Basic Food application, we look at your circumstances at the time you applied to see if you can get benefits within five calendar days. This is called "expedited service."

(2) To get expedited service, you must provide proof of who you are and meet one of the following conditions:

(a) Have gross monthly income (before taxes), minus exclusions as defined in WAC [388-450-0015](#), of under one hundred fifty dollars **and** have available cash of one hundred dollars or less; or

(b) Have gross monthly income (before taxes), minus exclusions as defined in WAC [388-450-0015](#), **plus** available cash of less than your total shelter costs (rent or mortgage and the utility allowance you are eligible for under WAC [388-450-0195](#)); or

(c) Be a destitute migrant or seasonal farm worker household, under WAC [388-406-0021](#), **and** your household's available cash is one hundred dollars or less.

(3) If you are eligible for expedited service and are not required to have an office interview under WAC [388-452-0005](#), you can have a telephone interview and still get benefits within five days.

(4) If you are applying for Basic Food, "day one" of your five-day expedited service period starts on the:

(a) Day after the date you filed your application;

(b) Date you are released from a public institution; or

(c) Date of your interview if you:

(i) Waived your expedited interview and we decide you are eligible for expedited service during your rescheduled interview; or

(ii) Were screened as ineligible for expedited service and we later determine you are eligible for the service during your interview.

(5) If you get expedited service, we only require verification of your identity to provide your first benefit issuance within five days. Other required verifications may be postponed.

(6) All postponed verification must be provided for your ongoing eligibility to be determined and any additional benefits to issue. If you applied:

(a) On or before the 15th of the month, we issue one month's benefits and you have up to thirty days from the date of application to give us any postponed verification; or

(b) On or after the 16th of the month, we issue two months' benefits and you have until the end of the second month to give us any postponed verification.

(7) If we can determine ongoing eligibility at your interview and do not need to postpone any required verifications, we will assign you a regular certification period as described in WAC [388-416-0005](#).

(8) If you have received expedited service in the past, you can get this service again if you meet the requirements listed in subsection (2) above and you:

(a) Gave us all the information we needed to determine ongoing eligibility for your last expedited service benefit period; or

(b) Were certified under normal processing standards after your last expedited certification.

(9) If you reapply for benefits:

(a) Before your certification period ends, you are not eligible for expedited service;

(b) After your certification period ends, your five-day expedited service period is the same as a new application;

(c) While you receive transitional food assistance as described in chapter [388-489](#) WAC, you are not eligible for expedited service.

(10) If you are denied expedited service, you can ask for a department review of our decision. We review the decision within two working days.

Who is in my assistance unit for Basic Food? WAC 388-408-0035

(1) For Basic Food, a person must be in your assistance unit (AU) if they live in the same home as you and:

(a) Regularly buy food or prepare meals with you; or

(b) You provide meals for them and they pay less than a reasonable amount for meals.

(2) If the following people live with you, they must be in your AU even if you do not usually buy or prepare food together:

(a) Your spouse;

(b) Your parents if you are under age twenty-two (even if you are married);

(c) Your children under age twenty-two;

(d) The parent of a child who must be in your AU;

(e) A child under age eighteen who doesn't live with their parent unless the child:

(i) Is emancipated;

(ii) Gets a TANF grant in their own name; or

(iii) Is not financially dependent on an adult in the AU because they get and have control of income of at least the TANF payment standard under WAC [388-478-0020](#)(2) before taxes or other withholdings.

(3) If any of the people in subsections (1) or (2) already receive transitional food assistance under chapter [388-489](#) WAC, you can only receive benefits if they choose to reapply for Basic Food as described in WAC [388-489-0020](#).

(4) If you live in an institution where you may be eligible for Basic Food under WAC [388-408-0040](#), we decide who is in your AU as follows:

(a) If the facility is acting as your authorized representative under WAC [388-460-0015](#), we include you and anyone who must be in your AU under subsection (2) of this rule; or

(b) If you apply for benefits on your own, we include you, anyone who must be in your AU under subsection (2) of this rule, and other residents you choose to apply with.

(5) Anyone who must be in your AU under subsection (1) or (2) is an ineligible AU member if they:

(a) Are disqualified for an intentional program violation (IPV) under WAC [388-446-0015](#);

(b) Do not meet ABAWD work requirements under WAC [388-444-0030](#).

(c) Do not meet work requirements under WAC [388-444-0055](#);

(d) Do not provide a Social Security number under WAC [388-476-0005](#);

(e) Do not meet the citizenship or alien status requirements under chapter [388-424](#) WAC;

(f) Are fleeing a felony charge or violating a condition of parole or probation under WAC [388-442-0010](#).

(6) If your AU has an ineligible member:

(a) We count the ineligible member's income as part of your AU's income under WAC [388-450-0140](#);

(b) We count all the ineligible members resources to your AU; and

(c) We do not use the ineligible member to determine your AU's size for the maximum income amount or allotment under WAC [388-478-0060](#).

(7) If the following people live in the same home as you, you can choose if we include them in your AU:

(a) A permanently disabled person who is age sixty or over and cannot make their own meals if the total income of everyone else in the home (not counting the elderly and disabled person's spouse) is not more than the one hundred sixty-five percent standard under WAC [388-478-0060](#);

(b) A boarder. If you do not include a boarder in your AU, the boarder cannot get Basic Food benefits in a separate AU;

(c) A person placed in your home for foster care. If you do not include this person in your AU, they cannot get Basic Food benefits in a separate AU;

(d) Roomers; or

(e) Live-in attendants even if they buy or prepare food with you.

(8) If someone in your AU moves out of your home for at least a full issuance month, they are not eligible for benefits as a part of your AU, unless you receive transitional

food assistance.

(9) For transitional food assistance, your TFA AU includes the people who were in your Basic Food AU for the last month you received:

- (a) Temporary assistance for needy families;
- (b) State family assistance; or
- (c) Tribal TANF benefits.

(10) If someone received Basic Food or food stamps in another AU or another state, they cannot receive benefits in your AU for the same period of time with one exception. If you already received Basic Food, food stamp, or transitional food assistance benefits:

(a) In another state, you are not eligible for Basic Food for the period of time covered by the benefits you received from the other state; or

(b) In another AU, you are not eligible for Basic Food in a different AU for the same period of time;

(c) In another AU, but you left the AU to live in a shelter for battered women and children under WAC [388-408-0045](#), you may be eligible to receive benefits in a separate AU.

(11) The following people who live in your home are not members of your AU. If they are eligible for Basic Food, they may be a separate AU:

(a) Someone who usually buys and prepares food separately from your AU if they are not required to be in your AU; or

(b) Someone who lives in a separate residence.

(12) A student who is ineligible for Basic Food under WAC [388-482-0005](#) is not a member of your AU.

How does being a student impact my eligibility for the Washington Basic Food program? WAC 388-482-0005

(1) For Basic Food, we consider you a student if you are:

- (a) Age eighteen through forty-nine;
- (b) Physically and mentally able to work; and
- (c) Enrolled in an institution of higher education at least half-time as defined by the

institution.

(2) An institution of higher education is:

(a) Any educational institution that requires a high school diploma or general education development certificate (GED);

(b) A business, trade, or vocational that requires a high school diploma or GED; or

(c) A two-year or four-year college or university that offers a degree but does not require a high school diploma or GED.

(3) If you are a student, you must meet one of the following conditions to be eligible for Basic Food:

(a) Have paid employment of twenty hours per week.

(b) Be self-employed, work, and earn at least the amount you would earn working twenty hours at the federal minimum wage;

(c) Be participating in a state or federal work study program at the time you applied for Basic Food benefits. For the purpose of being eligible for Basic Food, work study is:

(i) Working and receiving money from the work study program; and

(ii) Not turning down a work assignment.

(d) Be responsible for more than half the care of a dependent person in your assistance unit (AU) who is age five or younger;

(e) Be responsible for more than half the care of a dependent person in your AU who is between age six and eleven if we have determined that there is not adequate child care available during the school year to allow you to:

(i) Attend class and satisfy the twenty-hour work requirement; or

(ii) Take part in a work study program.

(f) Be a single parent responsible for the care of your natural, step, or adopted child who is eleven or younger;

(g) Be an adult who has the parental responsibility of a child who is age eleven or younger if none of the following people live in the home:

(i) The child's parents; or

(ii) Your spouse.

(h) Participate in the WorkFirst program under WAC [388-310-0200](#);

(i) Receive TANF or SFA benefits;

(j) Attend an institution of higher education through:

(i) The Workforce Investment Act (WIA);

(ii) The food stamp employment and training program under chapter [388-444](#) WAC;

(iii) An approved state or local employment and training program; or

(iv) Section 236 of the Trade Act of 1974.

(4) If you are a student and the only reason you are eligible for Basic Food is because you participate in work study, you are only eligible while you work and receive money from work study. If your work study stops during the summer months, you must meet another condition to be an eligible student during this period.

(5) If you are a student, your status as a student:

(a) Begins the first day of the school term; and

(b) Continues through vacations. This includes the summer break if you plan to return to school for the next term.

(6) We do not consider you a student if you:

(a) Graduate;

(b) Are suspended or expelled;

(c) Drop out; or

(d) Do not intend to register for the next school term other than summer.

If I am not eligible for federally-funded benefits through Washington Basic Food program because of my alien status, can I receive state-funded Basic Food? WAC 388-400-0045

(1) If you are not eligible for federally-funded Basic Food benefits because you do not meet the alien status requirements under WAC [388-424-0020](#), you may be eligible for state-funded Basic Food if you meet both of the following requirements:

(a) You are a Washington state resident; and

(b) You meet the immigrant eligibility requirements under WAC [388-424-0025](#).

(2) State-funded Basic Food follows the same eligibility rules as federally-funded Basic Food except for rules related to alien status. A summary of the rules for Basic Food is found in WAC [388-400-0040](#).

(3) Some assistance units (AUs) may receive a combined benefit of both state and federal Basic Food benefits. Your AU's maximum allotment of Basic Food benefits is found under WAC [388-478-0060](#).

Disaster food stamp program. WAC 388-437-0001

(1) In the event of a disaster, the department works with the United States Department of Agriculture, Food and Nutrition Services (FNS) to change some requirements for the Washington Basic Food program and help ensure that people in a disaster area have access to food. This is known as the disaster food stamp program.

(2) If the President of the United States has declared a portion of the state as a federal disaster area, we ask FNS to allow use of the disaster food stamp program for the areas impacted by the disaster. Both of the following conditions must be met:

(a) People's normal access to buy food has been disrupted; and

(b) These commercial channels have since been restored with reasonable access and sufficient food supplies as determined by FNS.

(3) The department will implement any disaster food stamp program as approved by FNS.

Who is eligible for transitional food assistance? WAC 388-489-0005

If your family stops receiving temporary assistance for needy families cash benefits, including benefits from a tribal program, you will be eligible for transitional food assistance for up to five months if you meet all the following eligibility requirements:

(1) Your family was receiving Basic Food at the time we determined you were no longer eligible for temporary assistance for needy families;

(2) After your family stops receiving temporary assistance for needy families, no other member of your Basic Food assistance unit continues to receive temporary assistance for needy families;

(3) Your family did not move out of the state of Washington (WAC [388-468-0005](#));

(4) Your family was not in sanction status at the time your temporary assistance for needy families grant ended. Sanction status means:

(a) We reduced or stopped your family's temporary assistance for needy families grant payment because a family member is not:

(i) Meeting WorkFirst program requirements (WAC [388-310-1600](#)); or

(ii) Cooperating with the division of child support (WAC [388-422-0100](#)); or

(b) We decided that a member of your family was not eligible for temporary assistance for needy families because the member:

(i) Failed to meet teen parent living arrangement (WAC [388-486-0005](#)) or teen parent school attendance requirements (WAC [388-410-0010](#)); or

(ii) Was convicted of unlawful practices (WAC [388-446-0005](#)) or for receiving temporary assistance for needy families in two or more states at the same time (WAC [388-446-0010](#)); or

(c) If you are receiving temporary assistance for needy families benefits from a tribal program, your family's grant is reduced or stopped for a reason that is the same as one of the reasons listed in (4)(a) or (4)(b) of this section.

(5) At the time your family's temporary assistance for needy families grant ended, your Basic Food assistance unit did not become ineligible because:

(a) You were applying for recertification of your Basic Food benefits and refused to cooperate with the application process; or

(b) All members are ineligible for Basic Food for the reasons stated in WAC [388-489-0025\(3\)](#).

(6) There is no limit to the number of times your family may leave temporary assistance for needy families and receive transitional food assistance.

POWER members want you to know your rights. We copied these WACs (Washington Administrative Code) from the internet. You can find a complete list at the Washington State Legislative site at the laws and agency rules link. All WACs guiding DSHS (the Department of Social and Health Services) start with 388. You can also find other handy information there, like who are your elected officials and how you can contact them. Let them know if your caseworker is not following the rules or if there are changes you would like to see at DSHS.