

Washington

I. General Assistance

General Assistance (“GA”) is non-federally funded state financial assistance to categorically and financially eligible Washington residents, who for reasons other than refusal or non-cooperation are not eligible for Aid to Families with Dependent Children (“AFDC”), the Consolidated Emergency Assistance Program (“CEAP”), or any other federally or state funded grant assistance program.¹

A. Eligibility

Eligible applicants are pregnant women or women who have relinquished their newborn for adoption [GA-S], dependent children residing with court-appointed legal guardians [GA-H], or adults who have been or will be unable to work for ninety days due to a medically determinable physical or mental infirmity [GA-U].²

Only Washington residents who are citizens, specified Canadian Indians, permanent residents, or Permanent Residents Under Color of Law (PRUCOLs) are eligible.³ Children are only required to be Washington residents.⁴

AFDC income rules determine the eligibility of pregnant women, and also in large part determine the eligibility of the unemployable.⁵ AFDC income rules also apply to the determination of a child’s eligibility, but only the child’s income is considered.⁶

B. Medical Care for GA Beneficiaries

The legislature provides that to the extent it has allocated funds, medical care services may be provided to beneficiaries of the GA and Alcoholism and Drug Addiction Treatment and Support Act (“ADATSA”)

¹Wash. Rev. Code § 74.04.005(6)(a).

²Wash. Rev. Code § 74.04.005(6)(a). An alcohol or drug abuser is not considered incapacitated under this program unless “otherwise incapacitated.” Wash. Admin. Code §§ 388-235-0020(4); Wash. Rev. Code § 74.04.005(6)(a)(ii)(C).

³A PRUCOL is a person living in the United States with the knowledge and “permission” of the Immigration and Naturalization Service (INS) and whose departure the INS does not contemplate enforcing. 20 C.F.R. § 416.1618(b)(16).

⁴Wash. Admin. Code §§ 388-235-0080, 388-235-0100.

⁵Wash. Admin. Code §§ 388-219-0100, 388-219-1000.

⁶Wash. Admin. Code § 388-219-0200.

programs.⁷ In operation, however, only Unemployable GA (GA-U) and ADATSA recipients are provided medical coverage.⁸ These two groups are eligible for the same medical benefits available to categorically eligible Medicaid recipients.⁹

II. Medically Indigent Eligibles

State funded hospital treatment for emergency conditions¹⁰ are available to persons who are: (1) not receiving continuing cash assistance; (2) not eligible for medical care in another state, and are; (3) not eligible for any other medical program.¹¹

Eligible applicants may receive those services which are medically necessary, related to an emergency medical condition, and which would be available under the state's Medicaid program. Services are only available under this program after the patient's emergency related medical expenses have met or exceeded \$2,000 in value.¹²

The applicant's citizenship, social security number and state of residency are irrelevant under this program.¹³ An eligible applicant's income must not exceed the state medically needy income level,¹⁴ but may be spent down to that level.¹⁵ Nonexempt resources must not exceed the resource standard for SSI, unless spent down to that level.¹⁶

⁷Wash. Rev. Code § 74.09.035.

⁸Wash. Rev. Code § 74.50, Wash. Admin. Code § 388-503-0350(1).

⁹Wash. Admin. Code § 388-529-2930.

¹⁰“Emergency medical condition” is defined as a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in serious: (i) jeopardy to the patient's health; (ii) impairment to bodily functions; or (iii) dysfunction of any bodily organ or part. For the purpose of this section, the department shall consider pregnancy and treatment under the Involuntary Treatment Act (ITA) as emergency medical conditions. Wash. Admin. Code § 388-503-0370.

¹¹Wash. Admin. Code §§ 388-503-0370(2), 388-518-1805(2).

¹²Wash. Admin. Code §§ 388-529-2950, 388-518-1810(2).

¹³Wash. Admin. Code § 388-518-1805(1).

¹⁴Washington set the 1995 medically needy income level (MNIL) at: (1) \$486/month for a family of one; (2) \$592/month for a family of two; and (3) \$667/month for a family of three. Wash. Admin. Code § 388-507-0710(2).

¹⁵Wash. Admin. Code §§ 388-518-1850, 388-519-1930, 388-518-1840.

¹⁶Wash. Admin. Code §§ 388-518-1850, 188-518-1840.

III. Children's Medical Eligibility

A child less than eighteen years of age who is not eligible for federally funded Medicaid, and whose nonexempt family income does not exceed one hundred percent of the federal poverty level is eligible for state-funded medical services identical to services provided under the state Medicaid program for the categorically needy.¹⁷

The department shall determine nonexempt family income by following AFDC methodology, and by applying the medical income rules as described under Administrative Code section 388-506-0610.¹⁸ The department shall not require a child to be a citizen, have a Social Security number, or meet resource limits.¹⁹

IV. Medicaid Expansion

Washington provides Medicaid for certain groups who meet or exceed the state's medically needy income level.²⁰ Eligible populations are Washington residents who: (1) would categorically qualify for Medicaid but for excess income and or resources; (2) are aged, blind or disabled ineligible spouses of SSI beneficiaries; (3) are children younger than 19 years of age with excess income; or (4) are pregnant women with excess income.²¹

V. Maternity care access program

The department of social and health services is required to provide maternity care services to the maximum extent allowable under the Medicaid program, as well as to low-income women who are not eligible to receive such services under Medicaid.²²

VI. End Stage Renal Disease ("ESRD") Services

End Stage Renal Disease ("ESRD") patients who are currently ineligible for public benefits, who have expended their income and resources down to designated levels, are eligible for services under this

¹⁷Wash. Admin. Code §§ 388-509-0920, 388-529-2940, 388-529-2910, 388-86-005.

¹⁸Wash. Admin. Code § 388-509-0920.

¹⁹Wash. Admin. Code §§ 388-509-0920, 388-509-0940.

²⁰Wash. Admin. Code § 388-503-0320. 1995 medically needy income level (MNIL): (1) \$486/month for a family of one; (2) \$592/month for a family of two; and (3) \$667/month for a family of three. Wash. Admin. Code § 388-507-0710(2).

²¹Wash. Admin. Code § 388-503-0320.

²²Wash. Rev. Code § 74.09.800.

program.²³

The state provides or pays for medically indicated dialysis, kidney transplantation services, and for those eligible for home dialysis, training, supervision, supplies and equipment.²⁴

VII. Prevention of Blindness Program

The state shall provide specialized medical eye care, including assistance with costs when necessary, for conditions in which sight is endangered, or sight can be restored or significantly improved.²⁵

VIII. Deaf & Hard-of-hearing Services

Financial needy persons with sufficiently severe hearing impairments are entitled to receive communicative devices on a sliding-fee scale through the telecommunications access service (TAS). [Office of deaf and hard of hearing services (ODHHS) within the department of social and health services (DSHS)].²⁶

Under this program, hearing aids are not provided to those who have some auditory ability remaining.²⁷ Phone amplifiers and similar amplification devices, text-telephone devices and signal devices, such as a device which flashes light when the door-bell is ringing, are provided to such individuals, however.²⁸

A. Eligibility

State residents who have been certified by qualified medical providers as hearing or speech disabled or deaf-blind, who are no more than eighteen years of age, and whose family incomes are below two hundred percent of the federal poverty level, are eligible for services under this program.²⁹

Eligible applicants shall receive a 100 percent subsidy if their family incomes are no more than 165 percent of the federal poverty level, a partial subsidy if the family income is above 165 percent but less than 200 percent of the federal poverty level, and no subsidy, but the ability to buy these devices at cost,

²³Wash. Admin. Code § 388-540-030.

²⁴Wash. Admin. Code § 388-540-010.

²⁵Wash. Rev. Code § 74.09.720(1).

²⁶Wash. Rev. Code § 43.20A.725(1); Wash. Admin. Code § 388-43-001.

²⁷Wash. Rev. Code § 43.20A.725.

²⁸Wash. Rev. Code § 43.20A.725(1); Wash. Admin. Code § 388-43-005.

²⁹Wash. Rev. Code §§ 43.20A.725(1), 43.20A.725(11)(a)(iii); Wash. Admin. Code §§ 388-43-010, 388-43-005(15).

for those whose family income levels meet or exceed 200 percent of the federal poverty line.³⁰

IX. Consolidated Emergency Assistance Program—CEAP

Federally-matched financial assistance shall be provided to eligible applicants who have emergency needs in such areas as food, shelter, clothing, or minor medical services.³¹

A. Eligibility

CEAP only provides benefits to families with dependent children, pregnant women with no other children, and dependent children who have been or will be placed in foster care.³² Benefits will only be provided to individuals who despite having taken all necessary steps to apply for other relevant public assistance programs are without any other appropriate form of assistance.³³

CEAP benefits will only be provided to those individuals whose net monthly income is less than ninety percent of the payment standard for an AFDC household with shelter costs, or if their income is above the ninety percent cutoff, can demonstrate that they could not have planned to avoid the emergency.³⁴

B. Benefits

Benefits under this program are quite limited. The maximum grant for all a family's emergency needs is: (1) \$359 for a family of one; (2) \$400 for a family of two, and; (3) \$546 for a family of three.³⁵ Within that maximum amount, assistance for medical costs shall not exceed: (1) \$179 for a family of one; (2) \$228 for a family of two, or; (3) \$282 for a family of three.³⁶ CEAP benefits may not be given for more than thirty consecutive days in any twelve consecutive month period.³⁷

³⁰Wash. Rev. Code § 43.20A.725(11), Wash. Admin. Code § 388-43-020.

³¹Wash. Rev. Code § 74.04.660, Wash. Admin. Code §§ 388-225-0060, 388-225-0010, 388-225-0190.

³²Wash. Admin. Code §§ 388-225-0020, 388-225-0070.

³³Wash. Admin. Code § 388-225-100. *But see* General Assistance eligibility requirements, calling for exhaustion of CEAP benefits.

³⁴Wash. Admin. Code § 388-225-0100. The household can demonstrate an inability to plan if funds ordinarily available were expended for: (a) medical bills; (b) emergent child care to avoid abuse; (c) dental care to alleviate pain; or (d) costs incurred in obtaining employment. Wash. Admin. Code § 388-225-0120.

³⁵Wash. Admin. Code § 388-250-1500.

³⁶*Id.*

³⁷Wash. Admin. Code § 388-225-0190(1).

X. Drug and Alcohol Abuse (DAA) Programs

Within the limits of state appropriations, the Alcoholism and Drug Addiction Treatment and Support Act (“ADATSA”) programs authorizes the provision of rehabilitation, shelter, and medical services to eligible individuals with drug or alcohol abuse problems.³⁸

A. Eligibility for ADATSA Services

An eligible applicant must be a Washington resident, and either a citizen, a legal permanent resident, a PRUCOL, or a person who has been granted temporary residency status under the federal Immigration Reform and Control Act.³⁹

Applicants must meet the financial and resource standards found under the General Assistance-Unemployed (GA-U) program, which in the main follows AFDC income rules.⁴⁰

Eligible applicants are detrimentally dependent on some psychoactive substance other than nicotine.⁴¹ Whether the dependency is deemed detrimental depends on a number of factors such as employability, pregnancy, number and nature of contacts with the criminal justice system, etc.⁴²

B. Scope of Services

Eligible applicants may receive up to six months of services in a twenty-four-month period.⁴³ The services may consist of: (1) up to thirty days of “intensive inpatient treatment”; (2) up to one hundred and eighty days of long-term care residential treatment; (3) up to ninety days in a twenty-four month period of ADATSA outpatient treatment; and if eligible for Methadone treatment; (4) any medical service which is available under the state’s Medicaid program.⁴⁴

C. Financial Responsibility

ADATSA shall pay the costs of assessing applicants’ medical eligibility.⁴⁵ A person receiving services in an intensive inpatient chemical dependency treatment program of thirty days or less shall be charged for

³⁸Wash. Rev. Code § 74.09.035, Wash. Admin. Code §§ 338-240-2100, 388-240-2400.

³⁹Wash. Admin. Code §§ 388-240-2300(1)(b), (c).

⁴⁰Wash. Admin. Code § 388-240-230(1)(e).

⁴¹Wash. Admin. Code §§ 388-240-2450(1), 388-240-2450(1).

⁴²Wash. Admin. Code § 388-240-2450(1)(b).

⁴³Wash. Admin. Code § 388-240-4100.

⁴⁴Wash. Admin. Code §§ 388-240-4100, 388-240-2100(2).

⁴⁵Wash. Admin. Code § 388-240-3100(2)(b).

services rendered.⁴⁶ A person residing in a recovery house, extended care recovery house, or long-term care or drug treatment facility shall be required to contribute toward the cost of care to the extent his or her income is in excess of a clothing and personal incidental allowance.⁴⁷

XI. AIDS Insurance Program

Persons with AIDS who are eligible for COBRA, group health, or individual insurance coverage, but are liable for their own premiums, and whose assets are equal to or less than \$15,000 (excluding a home used as a primary residence, and one car), who are ineligible for Medicaid and other forms of state funded medical assistance, are eligible for benefits under this program. Wash. Rev. Code § 74.09.757(1).⁴⁸

The state shall pay an eligible applicant's insurance premium so long as in a given period of time the premium cost does not exceed one and one-half times the average cost of carrying a person with AIDS under the state Medicaid program.⁴⁹

⁴⁶Wash. Admin. Code § 388-240-230(2).

⁴⁷Wash. Admin. Code § 388-240-239(3).

⁴⁸Wash. Admin. Code § 388-539-100.

⁴⁹Wash. Admin. Code § 388-539-150.