

WAC 110-85-0100 Factors that determine the amount of the GAP cash payment. (1) The amount of the GAP cash payment is determined by negotiations between the applicant and the department based on the following factors:

(a) The child's or youth's needs and the applicant's circumstances. The agreed GAP cash payment and applicant's resources should combine to cover the child's or youth's current and anticipated ordinary and special needs projected over the period of the GAP agreement.

(b) The applicant's foster care maintenance payment level, which is based on the level they were receiving prior to the guardianship.

(c) The GAP monthly subsidy amount, which cannot exceed the following statutory caps for foster care maintenance payments for the child or youth if they had remained in foster care during the same period:

(i) Infants and children birth through age four may receive up to 80 percent of the foster care maintenance payment.

(ii) Children age five through nine may receive up to 90 percent of the foster care maintenance payment.

(iii) Children or youth age 10 to 18 may receive up to 95 percent of the foster care maintenance payment.

(d) The family circumstances including, but not limited to:

(i) Size, including the identified child or youth for whom the guardianship applies;

(ii) Normal living expenses;

(iii) Income;

(iv) Guardianship family's financial resources; and

(v) Additional miscellaneous expenses related to the child or youth.

(2) The department must not consider previously approved child care, medical related expenses, or exceptional costs when calculating the GAP subsidy amount.

(3) Under no circumstances may the amount of the GAP cash payment exceed the statutory cap for the maintenance payment, under RCW 74.13A.047. DCYF has adopted the percentage caps in adoption support under RCW 74.13A.047.

[Statutory Authority: RCW 74.13.062, 13.36.090, and 42 U.S.C. 673. WSR 24-11-074, § 110-85-0100, filed 5/15/24, effective 6/15/24.]