

# I applied for benefits. DSHS said no.

## What will I learn?

Find out what you can do if you applied for cash, food, medical, or childcare assistance from the Washington State Department of Social and Health Services (DSHS) and they denied you benefits.

## What else can I read?

If you are already getting benefits, and DSHS stops them, read [How to Fight a Termination or Reduction of DSHS Public Assistance](#).

If DSHS says they gave you too much benefits, and you must pay back benefits they gave you, read [Fighting an Overpayment of Cash Assistance, Medical Assistance or Food Stamps](#).

If your problem is with Social Security or Supplemental Security Income (SSI), read one of these:

- [How to Fight Your SSI or Social Security Disability Denial](#)
- [Fighting a Termination of Supplemental Security Income \(SSI\) or Social Security Disability When SSA Decides You are No Longer Disabled](#)
- [Fighting an SSI or Social Security Overpayment Notice](#)

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❖ Visit [WashingtonLawHelp.org](http://WashingtonLawHelp.org) to read these and other fact sheets

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## Why did DSHS deny me benefits?

Their worker thinks any of these:

- Your monthly income or things you own (resources) does not meet their guidelines.
- You or your family are not the kinds of persons who can get that benefit.  
**Examples:** you do not have a disability, or you are not within a certain age range.

- You or your family are not citizens or a type of immigrant who can get that benefit.
- You have not given DSHS information they need.
- You have not done something DSHS' rules say you must.

## How does DSHS tell me about the denial?

They **must** send you a notice that says all of these:

- What benefit you applied for.
- Why the facts in your case do not make you eligible.
- Which [Washington Administrative Code \(WAC\)](#) rules the worker used to decide your case.
- How to appeal.

## Could DSHS be wrong about this?

Yes.

- The DSHS worker may not have known or understood all the important facts.
- DSHS may have not used its rules correctly.
- DSHS may not have taken the right steps in deciding your case and giving you notice.
- DSHS may not have taken the right steps if you have a disability making it hard for you to understand or follow their rules. Read [DSHS Help for People with Disabilities: Necessary Supplemental Accommodation \(NSA\)](#).

## What if I disagree with DSHS?

You can do any or all of these:

- 1.** Ask for an administrative hearing.
- 2.** Ask a DSHS supervisor to review and explain the decision.
- 3.** Re-apply.

## What is my deadline to ask for an administrative hearing?

You have up to 90 days from the date of the denial notice to do this.

## How do I ask for a hearing?

You can

- Write the Office of Administrative Hearings at P.O. Box 42489, Olympia, WA 98504.
- Call your nearest regional office. Find the number at [www.oah.wa.gov/](http://www.oah.wa.gov/). Click on **Contact**.
- Call or write your local DSHS office.

## When will the hearing take place?

If it is an emergency, call the OAH. Ask them to have the hearing as soon as possible. This is an “expedited” hearing. Otherwise, your hearing will probably be 20 days or more after you ask for it.

## Who is in charge of the hearing?

An Administrative Law Judge (ALJ) who does not work for DSHS leads the hearing. The ALJ sends you a written decision after the hearing. If you win, the ALJ usually orders benefits paid dating back to the day DSHS denied them.

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❖ Read [Representing Yourself at an Administrative Hearing](#).

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## What is Review and Explanation?

Before or after asking for a hearing, you can ask your DSHS worker to **explain** more about the decision. You might learn DSHS was missing or had wrong information. If so, try to give them the right information. If you need help getting that information, you can ask the worker. If you have to pay to get the information, ask DSHS to pay or if they will accept other proof.

You can also ask the worker’s supervisor for a meeting to **review** the decision. If you write the supervisor, the supervisor must write back within ten days.

If that does not change the decision, you can write the head (administrator) of the local DSHS office. The administrator must write back in ten days.

**If you disagree with what the worker, supervisor, and administrator decide, the matter is final unless you also ask for or have asked for a hearing.**

## **Should I re-apply?**

Yes, if one of these is true:

- You think DSHS was right to deny you. Your situation has since changed.
- You have more information that might change the decision. Your DSHS worker or supervisor will only look at it if you re-apply. You can re-apply while also trying to use the new information in your administrative hearing.

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❖ You can re-apply for benefits any time. You can re-apply even if you have asked for a hearing.

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## **How do I get ready for an administrative hearing?**

Read [Representing Yourself at an Administrative Hearing](#). It also explains how to

- Understand DSHS's reasons.
- Get missing information together.
- Try to settle your case.

The rules DSHS lists in your notice and the others it used in your case start with [WAC 388-](#). The rules about the hearing process are in [WAC Chapter 388-02](#). You can read them [online](#).

These should help you understand the rules for some benefit programs:

### EMERGENCIES

- [Additional Requirements](#)
- [Consolidated Emergency Assistance \(CEAP\): Extra Money for Needy Families](#)
- [Diversion Cash Assistance](#)
- [Disaster Cash Assistance](#)

### FOOD

- [Washington Basic Food Program](#)

- [Do You Need Food Assistance Right Away?](#)

#### CASH

- [TANF Rules and Eligibility](#)

#### HEALTH CARE

- [Medicare Savings Programs: Help Paying for Medicare Costs](#)
- [Questions and Answers on the COPES Program](#)
- [Questions and Answers on Medicaid for Nursing Home Residents](#)
- [Understanding Your CARE Tool Assessment](#)
- [Health Care Reform - General Information](#)

#### OTHER BENEFITS

- [Working Connections Child Care](#)

#### IMMIGRANTS RULES

- Visit the Immigration topic area > Government Benefits for Immigrants and Refugees subtopic at [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org)

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❖ Visit WashingtonLawHelp.org to read these and other fact sheets

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## Get Legal Help

Outside King County, call the CLEAR Hotline at

1-888-201-1014 weekdays between 9:15 am - 12:15 pm.

In King County call 2-1-1 weekdays between 8:00 am - 6:00 pm. They will refer you to a legal aid provider.

Seniors (age 60 and over) can also call CLEAR\*Sr at 1-888-387-7111, statewide.

You can also apply online with CLEAR\*Online: [nwjustice.org/get-legal-help](http://nwjustice.org/get-legal-help).

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