



DSHS Help for People with Disabilities: Necessary Supplemental Accommodations (NSA)

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- ❖ Read this only if you live in Washington State and you are applying for or get benefits from DSHS.
 - ❖ You can find all the fact sheets we link to here at WashingtonLawHelp.org.
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What are Necessary Supplemental Accommodations (NSA)?

If you have disabilities that make it hard for you to ask for or manage DSHS benefits, DSHS must find ways to help (**accommodate**) you. DSHS must try to make their services and benefits as available to you as they are to people who do not have a disability. This includes physical accommodations, like wheelchair ramps or larger font on letters in notices and mail you get from DSHS. It could also mean DSHS loosens its rules about your responsibilities to DSHS.

A federal law, the Americans with Disabilities Act (ADA), requires DSHS to make these accommodations. DSHS also made its own rules about this it must follow. DSHS calls its rules “Necessary Supplemental Accommodations (NSA)”. You can read DSHS rules at your local library or online at [Chapter 388-472](#) of the Washington Administrative Code.

What are some examples of accommodations DSHS should provide me if I need them?

This is not a complete list of examples. Every person is different. You should think about what makes sense for you. You might need DSHS to:

- Change your WorkFirst requirements
- Help fill out DSHS forms
- Send forms and letters in large print, electronically, or in another format
- Read or explain to you letters or forms they send

- Help get information DSHS needs by the due date
- Send copies of letters to or contact someone who helps you
- Give you extra time to respond to DSHS or to get them information
- Call you instead of having you come to the office
- Call you before they turn down (deny), stop (terminate), or cut (reduce) your benefits
- Help you ask for a hearing (and benefits until the hearing) if you disagree with a DSHS decision
- Remind you of appointments
- Call you before stopping your benefits if you miss an appointment or due date
- Make sure they followed your Equal Access plan if they decided to stop or cut benefits

How do I get accommodations?

DSHS must ask you if you need extra help when you apply for benefits and when you have reviews. DSHS staff should look for signs that you need extra help and offer you accommodations. **This does not always happen.**

If you need accommodations but DSHS says they cannot give them to you, read “What If I disagree with an NSA decision DSHS makes?” below, and call the CLEAR line at 1-888-201-1014 or Disability Rights Washington at (800) 562-2702.

Can we put the accommodations I will get in writing?

Yes. Ask your DSHS worker to give you an **accommodation plan**. Tell the worker what accommodations you need. Ask for a copy of your accommodation plan.

What if DSHS refuses to give me an accommodation plan, or does not follow my plan?

You should ask for a hearing. See “What if I Disagree,” below.

When can I get accommodations?

DSHS must give you accommodations if any of these is true:

- You tell DSHS you need accommodations to get or keep DSHS benefits or services.
- You tell DSHS you have a mental health condition.
- You have an intellectual disability.
- You have a disability resulting from drug or alcohol addiction.
- You cannot read or write in any language or your reading or writing is very limited.
- You are under age 18 and you do not live with your parents.
- You have trouble communicating, understanding, remembering, processing information, and/or making decisions.
- You have any limitation affecting your ability to get or keep DSHS benefits in the same way as people without a limitation or disability.

Can my accommodation plan change?

Yes. You can ask for changes if the plan is not working or if your needs change. You can ask for a plan at any time.

I have an accommodation plan. I just got a new DSHS worker. They didn't work on the accommodation plan with me. Will that matter?

No. Once DSHS knows you need accommodations; they should flag your file. Then anyone working with you knows about your plan.

Do I have to have accommodations?

No. If you do not want DSHS to identify you as NSA, DSHS cannot do so. You can just tell your DSHS worker that you do not want them to identify you as NSA. This is true even if your disability interferes with your ability to do what DSHS says you must do.

But if you then fail to accept and follow through on DSHS requirements, DSHS will not take your disability into account, unless you ask DSHS at that point to take your disability into account.

This matters because if DSHS decides you did not meet its requirements, DSHS may lower or stop your benefits altogether. And it might be harder for you affirmatively ask DSHS to take your disability into account than it would have been to let DSHS identify you as NSA.

I already know that I don't want to be identified as NSA. What should I do?

- Talk to your DSHS worker.
- Put your wishes in writing to DSHS.
- Save a dated copy for yourself. You may change your mind later.

DSHS identified me as needing NSA. Now what?

You and your worker will create an accommodation plan. It lists what DSHS will do to help you. It should include the support you need to get and keep your benefits. This can mean support to help you follow a particular DSHS program's requirements. It could also mean excusing you from a requirement, or changing a requirement a little to make it easier for you to meet it. See examples of accommodations in the first section.

What happens if I do not follow DSHS rules?

Normally DSHS can stop or lower your benefits if you do not meet DSHS' requirements that allow you to get benefits in the first place. If DSHS finds that your limitation or disability keeps you from accepting and following through on DSHS requirements, DSHS must find that you had "good cause." They cannot take any action against you even though you did not follow the rules.

DSHS must also review your accommodation plan to make sure you have all the support from them you need to help you meet DSHS' requirements so you can keep getting benefits. If DSHS cannot accommodate your disability so that you can meet their requirements, DSHS must excuse you from following (waive) those requirements for you them.

If DSHS finds that you can meet its requirements, with or without accommodations, you must follow the rules if DSHS gives you the accommodations you need.

I disagree with an NSA decision DSHS made about me. What can I do?

Ask to speak with your DSHS worker's supervisor and/or ask for a hearing. You might disagree with DSHS's decision that you do not need accommodations. You might disagree with the accommodation plan DSHS gave you. A hearing decision can order DSHS to give you the accommodations you need. It can order DSHS to stop punishing (sanctioning) you for not following program requirements and give you benefits. You must prove at the hearing that your limitations affected your ability to do what DSHS required of you, or that you had some other good cause for not following the rules.

❖ **Example:** Your doctor says you cannot drive anywhere while taking a certain medication. DSHS must help you find other transportation to DSHS appointments and DSHS-required appointments, such as work activity under your IRP plan if you have one, or not make you go places when you cannot get other transportation.

I asked for a hearing. What happens next?

Read [Representing Yourself at an Administrative Hearing](#) to learn more.

What if I still have questions after reading this?

Talk to your DSHS worker. For TANF, also read [WorkFirst: Individual Responsibility Plans](#) to learn more.

Get Legal Help

- **Apply online** with [CLEAR*Online](#) - nwjustice.org/apply-online
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 2-1-1 (or toll-free 1-877-211-9274) weekdays 8:00 am - 6:00 pm. They will refer you to a legal aid provider.

- **Facing a legal issue outside of King County** (other than Eviction or Foreclosure)? Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm or apply online at nwjustice.org/apply-online.
- **Facing Eviction?** Call 1-855-657-8387.
- **Facing Foreclosure?** Call 1-800-606-4819.
- **Seniors (age 60 and over)** with a legal issue outside of King County can also call CLEAR*Sr at 1-888-387-7111.

Deaf, hard of hearing or speech impaired callers can call any of these numbers using the relay service of your choice.

Interpreters provided.

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