

I applied for benefits. DSHS said no.

❖ You can find all the fact sheets we link to here at [WashingtonLawHelp.org](https://www.washingtonlawhelp.org).

Should I read this?

Yes, you should read this if you live in Washington state. We will explain here what you can do if you applied for cash, food, or childcare assistance from the Department of Social and Health Services (DSHS) and they turned you down for (*denied* you) benefits.

Why did DSHS deny me benefits?

It depends. The DSHS worker who went over your application might think any of these:

- Your monthly income or things you own (your *resources*) does not meet their guidelines.
- You or your family are not eligible to get the benefit you applied for. For **example**, 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 the benefit you applied for.
- 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?

DSHS must send you a notice that says all of these:

1. Which benefit you applied for.
2. Why the facts in your case do not make you eligible to get benefits.

3. Which [Washington Administrative Code \(WAC\)](#) rules the worker used to decide your case.
4. How to appeal.

Could DSHS be wrong to deny me benefits?

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 \(NSA\)](#) to learn more.

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. **Starting July 1, 2023**, if circumstances beyond your control, such as medical issues, housing instability, language barriers, or domestic violence, keep you from meeting that deadline, you should still ask for a hearing as soon as you can.

How do I ask for a hearing?

There are different ways you can do this.

In writing: Write the Office of Administrative Hearings (OAH), P.O. Box 42488, Olympia, WA 98504.

Verbally: You can call OAH at (360) 407-2700 or 1-800-583-8271 or tell DSHS that you want a hearing. DSHS may have you follow up with a written request.

When will the hearing take place?

If it is an emergency, you should call OAH to ask them to hold the hearing as soon as possible. This is called 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 (an *ALJ*) who does not work for DSHS leads the hearing. The ALJ will send you a written decision after the hearing. Read [Representing Yourself at an Administrative Hearing](#) to learn more.

What is Review and Explanation?

Before or after asking for a hearing, you can ask your DSHS worker to **explain** more about why DSHS denied you benefits. You might learn DSHS was missing or had wrong information. If this is the case, you can try to give them the right information.

If you need help getting that information, you can ask the worker. If you must pay to get the information, ask DSHS to pay, or if DSHS will accept other proof that you don't need to pay to get.

You can also ask the DSHS worker's supervisor for a meeting to **review** the decision to deny you benefits. If you write to the supervisor, the supervisor must write back within 10 days. If that does not change the decision, you can write to the head (the *administrator*) of the local DSHS office. The administrator must write you back in 10 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:

- A. You think DSHS was right to deny you when they did. But your situation has since changed. You believe you are eligible to get benefits now.
- B. You have more information that might change DSHS' decision. Your DSHS worker or supervisor will only look at your new info if you re-apply. You can re-apply while also trying to use the new information in your administrative hearing.

I have already asked for a hearing. Can I also reapply?

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

How do I get ready for my hearing?

Read [Representing Yourself at an Administrative Hearing](#). It explains how to understand DSHS's reasons, get missing information together, and try to settle your case. To help you understand the rules for the benefit program you applied for, choose from this list:

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](#)
- [Help for people unable to work: ABD and HEN](#)

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

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 coverage options in Washington State](#)

IMMIGRANTS RULES

- Visit the Immigration topic area > Public Benefits for Immigrants subtopic at www.washingtonlawhelp.org

Get Legal Help

- **Apply online:** nwjustice.org/apply-online
- **Facing Eviction?** Call 1-855-657-8387
- **Facing Foreclosure?** Call 1-800-606-4819
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 211 (or toll-free 1-877-211-9274) weekdays 8:00 am to 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 and 12:15 pm or apply online at nwjustice.org/apply-online.
- **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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