

# Fight a termination or reduction of DSHS public assistance

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If DSHS told you it will stop or cut back assistance they've been giving you, you can try to fight their decision and keep your benefits as is. You must ask for a hearing within **10 days** so you can keep getting benefits while you appeal DSHS' decision.

## **Why would DSHS end (terminate) or lower (reduce) my benefits?**

It depends. Your DSHS worker may believe one or more of these is true for you:

1. Your monthly income or things of value you own (your *resources*) have gone up enough that you can no longer get any or as much benefits.
2. Your situation may have changed (for example, you no longer have a disability, or your child has reached age 18) so you or your family members are no longer eligible to get that kind of benefit.
3. You haven't given DSHS information that they need, or you haven't done something their rules say you must.

If you haven't gotten interpreters or notices in your own language and DSHS has stopped your benefits, you may be able to get the benefits turned back on. You should talk to a legal aid lawyer if DSHS hasn't provided you with interpreters or translations.

### What should the notice from DSHS say?

The written notice DSHS sends you must say:

- The date your benefit will stop or go down. It must be at least **10 days** after DSHS mails the notice.
- Why your situation requires this change.
- The Washington Administrative Code (<http://apps.leg.wa.gov/wac/>) (WAC) numbers of the state rules the worker used to decide your case.
- How to appeal if you disagree and how to keep getting benefits during your appeal.

### Could I have a good reason to challenge DSHS' decision?

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 about how to get disability accommodations from DSHS.

## 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.

## When and why do I ask for explanation and review?

Before or after asking for a hearing, you can ask your DSHS worker to **explain** more about the decision to deny, terminate or reduce your assistance.

You may learn DSHS had wrong or was missing information. If that's the case, try to give DSHS the correct or missing 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, terminate or reduce benefits. If you write to the supervisor, the supervisor must write back within 10 days. If that doesn't change the decision, you can write to the head (the *administrator*) of the local DSHS office. The administrator must write back to you 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:

- You think DSHS was right to deny you when they did. But your situation has since changed. You believe you're eligible to get benefits now.
- 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.

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

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