

WSR 24-02-044
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed December 27, 2023, 3:46 p.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is planning to amend the following WAC sections and other related rules as may be required: WAC 388-416-0005 How long can I get Basic Food?, 388-418-0011 What is a mid-certification review, and do I have to complete one in order to keep receiving benefits?, and other related rules as may be required. Planned amendments are necessary to comply with the approved federal waiver for the elderly simplified application project (ESAP), extending the basic food certification period from 12 months to 36 months for households where all members are age 60 or older and/or disabled adults with no earned income. Other related rules as may be required. If applicable, these amendments will make additional changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.500, 74.04.510, 74.08A.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: See above.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture Food and Nutrition Services (FNS) administers supplemental nutrition assistance program provisions of the 2008 Food and Nutrition Act, as amended, codified in C.F.R. DSHS amends rules to align with the act, federal regulations, and FNS administrative notices and formal guidance. DSHS incorporates regulations from federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington basic food program.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carolyn Horlor, P.O. Box 45470, Olympia, WA 98504-4570, phone 360-764-0676, email carolyn.horlor@dshs.wa.gov.

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