

**WSR 21-09-075**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed April 20, 2021, 1:22 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 20-09-134.

Title of Rule and Other Identifying Information: The department is proposing amendments to WAC 388-444-0015 How can the basic food employment and training (BF E&T) program help me find work?, and 388-444-0025 What expenses will the department pay to help me participate in BF E&T?

Hearing Location(s): On May 25, 2021, at 10:00 a.m., at Office Building 2, Department of Social and Health Services (DSHS) Headquarters, 1115 Washington Street S.E., Olympia, WA 98504. Public parking at 11th and Jefferson. A map is available at <https://www.dshs.wa.gov/office-of-the-secretary/driving-directions-office-bldg-2>; or by Skype. Due to the COVID-19 pandemic, hearing may be held via Skype, see DSHS website for most up-to-date information.

Date of Intended Adoption: Not earlier than May 26, 2021.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, email [DSHSRPAURulesCoordinator@dshs.wa.gov](mailto:DSHSRPAURulesCoordinator@dshs.wa.gov), fax 360-664-6185, by 5:00 p.m., May 25, 2021.

Assistance for Persons with Disabilities: Contact Jeff Kildahl, DSHS rules consultant, phone 360-664-6092, fax 360-664-6185, TTY 711 relay service, email [Kildaja@dshs.wa.gov](mailto:Kildaja@dshs.wa.gov), by May 11, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Proposed amendments will better align rule language with current federal regulations and clarify eligibility for and services available through the basic food employment and training program.

Reasons Supporting Proposal: See purpose above.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.04.535, 74.08.090, 74.08A.120, 74.08A.903; 7 U.S.C. 2015 (d)(1); and 7 C.F.R. § 273.7.

Statute Being Implemented: None.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DSHS, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Bessie Williams, P.O. Box 45470, Olympia, WA 98504-5770, 360-725-4630.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. This amendment is exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in part, "[t]his section does not apply to ... rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 34.05.328 (5)(b)(vii).

Explanation of exemptions: The proposed amendments do not impact small businesses. They only impact DSHS clients.

April 20, 2021  
Katherine I. Vasquez  
Rules Coordinator

**SHS-4845.2**

AMENDATORY SECTION (Amending WSR 13-24-043, filed 11/26/13, effective 1/1/14)

**WAC 388-444-0015 How can the basic food employment and training (~~((BF-E&T))~~) (BFET) program help me find work?** The basic food employment and training (~~((BF-E&T))~~) (BFET) program is the name for Washington's voluntary supplemental nutrition assistance program (SNAP) employment and training program.

(1) If you receive federally funded basic food benefits and are at least sixteen years of age or older (see additional requirements to serve sixteen to seventeen year olds below) and are able to work at least twenty hours per week (see additional requirements below), you may choose to receive services through the ((BF-E&T)) BFET program in one or more of the following activities, if we currently provide the service in the county where you live:

(a) Job search(~~(+)~~) and training, which may include:

(i) Labor market information;

(ii) Job seeking skills instruction;

(iii) Resume writing;

(iv) Job skills assessment;

(v) Coaching;

(vi) Work ethic training; or

(vii) Job placement services.

(b) Supervised job search, which may include:

(i) Use of computer, email, fax, telephone;

(ii) Search of job listings; and

(iii) Participation in a job club; or

(iv) Securing identification, professional license, or certifications.

(c) Basic education, which may include:

(i) Education in basic computer skills;

(ii) Literacy or math training;

(iii) High school equivalency (formerly GED);

(iv) Basic education for adults (BEA); or

(v) English as a second language (ESL).

(d) Life skills, which may include:

(i) Work preparation;

(ii) Health and well-being;

(iii) Effective communication;

(iv) Personal strength builders;

(v) Community engagement.

(e) Vocational education, which may include:

(i) Credentialed;

(ii) Recognized by an independent third party; or

(iii) Accepted by local industry employers.

(f) Job retention services, which may include:

- (i) Counseling;
- (ii) Coaching;
- (iii) Case management; and
- (iv) Participant reimbursements.

~~(g) Paid or unpaid work (≠  
(c) Training or work experience;  
(d) High school equivalency classes; or  
(e) English as a second language (ESL) classes)).~~

~~(2) If you are eligible to participate in ((a BF E&T activity,  
there is no limit to the number of hours you can participate)) BFET  
activities, you must be able to participate in BFET twenty hours per  
week, up to forty hours per week.~~

~~(a) Youth ages sixteen to seventeen may participate in BFET pro-  
grams, even if they receive basic food benefits independently or  
through their parents basic food case.~~

~~(i) The participation exception for youth is secondary education,  
or high school equivalency classes.~~

~~(ii) Youth may participate in vocational education programs if  
they have received or in the process of receiving their high school  
equivalency.~~

~~(iii) Youth sixteen years and older do not require parental con-  
sent to participate in BFET.~~

~~(iv) Persons with a verified disability (which may include those  
receiving services from the division of vocational rehabilitation) may  
be eligible for BFET services.~~

~~(3) If you are an able bodied adult without dependents (ABAWD)  
and able to work, you may be eligible for BFET services.~~

~~(4) If you receive employment and training services within multi-  
ple department of social and health services administrations, you can-  
not receive duplication of services, nor duplication of support serv-  
ices.~~

~~(5) If you receive benefits under the state-funded food assis-  
tance program (FAP), you are not eligible to participate in ((BF E&T))  
BFET.~~

~~(6) If you receive temporary assistance to needy families (TANF),  
you are not eligible to participate in BFET.~~

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.250, and 2013 c 39. WSR 13-24-043, § 388-444-0015, filed 11/26/13, effective 1/1/14. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 U.S.C. 2015 (d) (1); 7 C.F.R. § 273.7. WSR 10-18-048, § 388-444-0015, filed 8/26/10, effective 10/1/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 7 C.F.R. 273.7 and 273.25. WSR 06-24-026, § 388-444-0015, filed 11/29/06, effective 1/1/07. Statutory Authority: RCW 74.04.050 and 74.04.510. WSR 00-04-006, § 388-444-0015, filed 1/20/00, effective 3/1/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0015, filed 7/31/98, effective 9/1/98.]

AMENDATORY SECTION (Amending WSR 10-18-048, filed 8/26/10, effective 10/1/10)

**WAC 388-444-0025** What ((expenses will)) support services may the ((department)) basic food employment and training (BFET) program pay

to help me participate ~~((in BF E&T))~~? ~~((1))~~ The ~~((department pays))~~ BFET program may pay certain actual expenses needed for you to participate in the ~~((BF E&T))~~ BFET program. ~~((We will))~~ The BFET program may pay for the following expenses:

- ~~((a))~~ (1) Transportation related costs; (and
- ~~((b))~~ (2) Books and training supplies;
- (3) Clothing;
- (4) Educational or credential testing;
- (5) Housing or utilities;
- (6) Personal hygiene; or
- (7) Child care or medical;

(a) Dependent care costs for each dependent through twelve years of age.

~~((2))~~ (b) We do not pay your dependent care costs if:

~~((a))~~ (i) The child is thirteen years of age or older unless they are:

~~((i))~~ (A) Physically and/or mentally unable to care for themselves; or

~~((ii))~~ (B) Under court order requiring adult supervision; or

~~((b))~~ (C) Any member in the food assistance unit provides the dependent care.

~~((3))~~ (ii) We do not use the cost of dependent care the department pays for under subsection (1) of this section as an income deduction for your household's dependent care costs under WAC 388-450-0185.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 U.S.C. 2015 (d) (1); 7 C.F.R. § 273.7. WSR 10-18-048, § 388-444-0025, filed 8/26/10, effective 10/1/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 74.08.090. WSR 07-21-075, § 388-444-0025, filed 10/16/07, effective 11/16/07; WSR 98-16-044, § 388-444-0025, filed 7/31/98, effective 9/1/98.]