

WSR 25-02-043
EXPEDITED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed December 20, 2024, 8:45 a.m.]

Title of Rule and Other Identifying Information: The department of social and health services (DSHS) is proposing to amend WAC 388-449-0220 How does substance use affect my eligibility for the aged, blind, or disabled (ABD) cash and pregnant women assistance (PWA) programs?

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These housekeeping amendments update a typographical error without changing the effect of the rule.

Reasons Supporting Proposal: These amendments meet the criteria for expedited adoption as set forth in RCW 34.05.353 (1)(c): "The proposed rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.["]

Statutory Authority for Adoption: RCW 74.04.005, 74.04.050, 74.04.0052, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.04.805, 74.08.025, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.62.005, 74.62.030.

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: Sarah Mintzer, P.O. Box 45470, Olympia, WA 98504-5470, 360-764-0050.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: These amendments update typographical error(s) of a rule without changing its effect.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Katherine I. Vasquez, Rules Coordinator, DSHS, P.O. Box 45850, Olympia, WA 98504, phone 360-664-6097, fax 360-664-6185, email DSHSRPAURulesCoordinator@dshs.wa.gov, AND RECEIVED BY 5:00 p.m. on March 4, 2025.

December 20, 2024
Katherine I. Vasquez
Rules Coordinator

SHS-5068.1

AMENDATORY SECTION (Amending WSR 24-01-068, filed 12/14/23, effective 1/14/24)

WAC 388-449-0220 How does substance use affect my eligibility for the aged, blind, or disabled (ABD) cash and pregnant women assistance (PWA) programs? (1) For purposes of ABD, you must complete a substance use disorder assessment when we have information that indicates you may have a substance use disorder.

(2) For purposes of PWA, you must complete a substance use disorder assessment when we have information that indicates you may have a substance use disorder.

(3) You must participate in substance use disorder treatment if a certified substance use disorder professional indicates a need for treatment, unless you have good cause. Good cause includes, but is not limited to, the following reasons:

(a) We determine that your physical or mental health impairment prevents you from participating in treatment.

(b) The outpatient substance use disorder treatment you need isn't available in the county you live in.

(c) You need inpatient substance use disorder treatment at a location that you can't reasonably access.

(d) You are a parent or other relative personally providing care for a minor child or an incapacitated individual living in your household, child care or day care is necessary for you to participate in substance use disorder treatment, and such care is not available.

~~((3))~~ (4) If you refuse or do not complete an assessment or treatment without good cause, your benefits will end until you provide proof you are pursuing an assessment or treatment as required.