

WSR 23-20-093
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed October 2, 2023, 1:15 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 388-412-0025 How do I receive my benefits?, 388-450-0162 How does the department count my income to determine if my assistance unit is eligible and how does the department calculate the amount of my cash and basic food benefits?, 388-450-0165 Gross earned income limit for TANF/SFA, 388-450-0200 Will the medical expenses of elderly persons or individuals with disabilities in my assistance unit be used as an income deduction for basic food?, 388-450-0225 How are my assistance unit's benefits calculated for the first month I am eligible for cash assistance?, 388-455-0015 When and how does the department treat lump sum payments as income for cash assistance programs?, 388-473-0010 What are ongoing additional requirements and how do I qualify?, 388-473-0020 When do we authorize meals as an ongoing additional requirement?, 388-473-0040 Food for service animals as an ongoing additional requirement, 388-473-0050 Telephone services as an ongoing additional requirement, 388-473-0060 Laundry as an ongoing additional requirement, and 388-478-0050 Payment standards for ongoing additional requirements.

The department is also planning to create the following WAC sections: WAC 388-473-XXXX Transportation as an ongoing additional requirement and 388-473-XXXX Medical related items or services as an ongoing additional requirement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.005, 74.08.283.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Effective April 1, 2024, individuals with an incapacity who are eligible for the housing and essential needs referral program (via WAC 388-400-0070) are potentially eligible for ongoing additional requirements (OAR). Payment standards for existing OAR benefits will increase, and new OAR benefits will be added to assist with things such as transportation and medical related items not covered by insurance. As needed, planned amendments will make additional changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations.

The operating budget (ESSB 5187, chapter 475, Laws of 2023) includes funding to support this change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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 Evelyn Acopan, P.O. Box 45470 Olympia, WA 98504, phone 253-778-2381, email evelyn.acopan@dshs.wa.gov.

October 2, 2023

Katherine I. Vasquez
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