

## WSR 21-07-098

## PERMANENT RULES

## DEPARTMENT OF

## SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed March 22, 2021, 9:02 a.m., effective April 22, 2021]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department is adopting WAC 388-437-0005 Changes to food assistance in response to the COVID-19 pandemic, allowing the department to adjust food assistance benefit issuances as provided under the Families First Coronavirus Response Act (H.R. 6201, Section 2302).

These adjustments to food benefit issuances have been in effect since March 31, 2020, under emergency rule adoptions filed as WSR 20-08-107, 20-10-048, 20-18-029, and 21-01-193.

Citation of Rules Affected by this Order: New WAC 388-437-0005.

Statutory Authority for Adoption: RCW 74.04.500, 74.04.510, 74.08A.120.

Other Authority: H.R. 6201.

Adopted under notice filed as WSR 20-24-072 on November 24, 2020.

Number of Sections Adopted in Order to Comply with Federal Statute: New 1, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Date Adopted: March 18, 2021.

Katherine I. Vasquez  
Rules Coordinator

**SHS-4797.5**NEW SECTION

**WAC 388-437-0005 Changes to food assistance in response to the COVID-19 pandemic.** Starting March 2020, assistance units (AUs) eligible for either federal or state-funded food assistance, or both, will receive emergency allotments that bring the AU up to the maximum benefit for their household size.

(1) The amount is the maximum food assistance benefit allotment for your AU size under WAC 388-478-0060(1) less the amount received under WAC 388-450-0162 (4) (b).

(2) Emergency allotments will continue each month until:

(a) The secretary for health and human services rescinds the public health emergency declaration that was issued on January 27, 2020, under section 319 of the Public Health Service Act;

- (b) The state-issued emergency or disaster declaration expires;
- or
- (c) The food and nutrition service directs otherwise.
- (3) Emergency allotments for state-funded food assistance will continue each month, contingent on the availability of state funds.

[ ]