

WSR 22-10-038
EMERGENCY RULES
DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed April 27, 2022, 11:05 a.m., effective April 27, 2022, 11:05 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The department is extending emergency adoption of WAC 388-434-0015 Waiver of mid-certification reviews during the COVID-19 pandemic, to continue Federal Supplemental Nutrition Assistance Program flexibilities regarding mid-certification reviews as allowed under Families First Coronavirus Response Act (H.R. 6201) and extended via the Continuing Appropriations Act (H.R. 8337).

This filing supersedes previous emergency adoption filed as WSR 22-03-045 on January 12, 2022.

The department filed notice of its intent to adopt the rule as permanent via CR-101 under WSR 22-10-008 and is actively pursuing permanent rule making.

Citation of Rules Affected by this Order: New WAC 388-434-0015.

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

Other Authority: H.R. 6201 and 8337.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to continue implementing provisions of Section 2301 of the Families First Coronavirus Response Act (H.R. 6201) and related flexibilities available through federal Food and Nutrition Service waiver approval.

Number of Sections Adopted in Order to Comply with Federal Statute: New 1, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.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: April 25, 2022.

Katherine I. Vasquez
Rules Coordinator

SHS-4805.6

NEW SECTION

WAC 388-434-0015 Waiver of mid-certification reviews during the COVID-19 pandemic. (1) Mid-certification review requirements for cash and food assistance under WAC 388-418-0011 are waived from January 1, 2022, to June 30, 2022.

(2) You are still required to report changes under WAC 388-418-0005.

(3) The department will review and act upon any new information we receive from you during this time under WAC 388-418-0020.

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