

**WSR 24-21-044**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed October 8, 2024, 4:18 p.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is planning to amend WAC 388-410-0030 How does the department calculate and set up my basic food, FAP, or WASHCAP overpayment?; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20A.550, 43.20B.630, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Planned amendments will clarify that overpayments due to intentional trafficking of food benefits will represent the entire value of the benefits determined to have been trafficked. If applicable, these amendments will make additional changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service. Planned amendments support 7 C.F.R. 273.18 (a)(4).

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 Alexis Miller, P.O. Box 45470 [5470], Olympia, WA 98504-4570, phone 253-579-3144, email alexis.a.miller@dshs.wa.gov.

October 7, 2024  
Katherine I. Vasquez  
Rules Coordinator