



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (October 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 14, 2017

TIME: 8:35 AM

WSR 17-23-078

Agency: Department of Social and Health Services, Economic Services Administration

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 28, 2017

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: The department is amending WAC 388-493-0010 "Working Family Support" in order to extend the program end date from June 30, 2017 to June 30, 2019, and to include a 10,000 household program enrollment limit to the Working Family Support Program effective July 31, 2017.

These amendments are needed based on proviso language in the 2017-2019 Operating Budget (Substitute Senate Bill 5883).

The department filed the proposed rule on September 28, 2017 as WSR 17-20-033, held a public hearing on November 7, 2017, and filed the permanent rule on November 9, 2017 as WSR 17-23-050. This emergency rule filing extends the emergency rule filed as WSR 17-16-130 until the permanent rule takes effect.

Citation of rules affected by this order:

- New: None
- Repealed: None
- Amended: WAC 388-493-0010
- Suspended: None

Statutory authority for adoption: RCW 74.04.050, RCW 74.040.055, RCW 74.04.057, RCW 74.08.090

Other authority: Substitute Senate Bill 5883

EMERGENCY RULE

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.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: The 2017-2019 Operating Budget (SSB 5883) states that the department shall adopt rules to take effect July 31, 2017, to limit the Working Family Support program at 10,000 households. State law requires immediate adoption of the household limit, therefore requiring an emergency rule filing to update the language in WAC 388-493-0010, "Working Family Support."

Extending the Working Family Support end date to June 30, 2019 is necessary for the general welfare to continue accessing the additional food benefit.

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New		Amended	<u>1</u>	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New		Amended		Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>1</u>	Repealed	___

Date Adopted: November 9, 2017

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-493-0010 Working family support. (1) What is the working family support (WFS) program?

The working family support program is administered by the department of social and health services (Department) and provides an additional monthly food benefit from May 2016 through June 30, ((2017)) 2019 to low income families who meet specific criteria. Continuance of the program beyond June 30, ((2017)) 2019 is contingent on specific legislative funding for the working family support program.

(2) The following definitions apply to this program:

(a) "Co-parent" means another adult in your home that is related to your qualifying child through birth or adoption.

(b) "Qualifying child" means a child under the age of eighteen who is:

(i) Your child through birth or adoption; or

(ii) Your step child.

(c) "Work" means subsidized or unsubsidized employment or self-employment. To determine self-employment hours, we divide your net self-employment income by the federal minimum wage.

(3) Who is eligible for the working family support program? You ((are)) may be eligible for working family support food assistance if you meet all of the following:

(a) You receive food assistance through basic food, food assistance program for legal immigrants (FAP), or transitional food assistance (TFA);

(b) Receipt of working family support food assistance would not cause your countable food assistance income to exceed the two hundred percent federal poverty level (FPL);

(c) No one in your food assistance unit receives temporary assistance for needy families (TANF) or state family assistance (SFA);

(d) A qualifying child lives in your home;

(e) You, your spouse, or co-parent, work a minimum of thirty five hours a week, and if you live with your spouse or co-parent, you must be in the same assistance unit;

(f) You provide proof of the number of hours worked; and

(g) You reside in Washington state per WAC 388-468-0005.

(4) How can I apply for working family support?

(a) The department will review your eligibility for the working family support program:

(i) When you apply for food assistance, or

(ii) At the time of your food assistance eligibility review.

(b) You may request the working family support benefit in person, in writing, or by phone at any time.

(5) How long can I receive working family support?

(a) You may recertify up to an additional six months for working family support if you meet the criteria listed above and provide current proof that you, your spouse, or co-parent works a minimum of thirty five hours a week.

(b) Working family support certification ends when:

(i) You complete either a certification or mid-certification review for food assistance under WAC 388-434-0010 or WAC 388-418-0011, and you do not provide proof of the number of hours that you, your spouse, or your co-parent work;

(ii) You no longer receive basic food, FAP, or TFA;

- (iii) You receive TANF or SFA;
 - (iv) You do not have a qualifying child in your home;
 - (v) You, your spouse, or co-parent, no longer work a minimum of thirty five hours a week; or
 - (vi) You are no longer a resident of Washington state.
- (6) What benefits will I receive if I am eligible for the working family support program?
- (a) The assistance unit will receive a separate ten dollars monthly food assistance benefit each month.
 - (b) Working family support benefits are not prorated.
- (7) Enrollment in the working family support program is limited to ten thousand households per month.