



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 20, 2018

TIME: 9:16 AM

WSR 18-07-083

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

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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 388-406-0015, "Can I get Basic Food right away?" to clarify the treatment of resources when determining expedited service eligibility for basic food benefits.

Citation of rules affected by this order:

New: None
 Repealed: None
 Amended: WAC 388-406-0015
 Suspended: None

Statutory authority for adoption: RCW 74.04.050, 74.04.510, RCW 74.08A.120

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-04-091 on February 5, 2018 (date).
 Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:
 Address:
 Phone:
 Fax:
 TTY:
 Email:
 Web site:
 Other:

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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	Repealed	___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New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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: March 19, 2018

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-406-0015 ((Can)) May I get basic food right away? (1) When the department gets your basic food application, we look at your circumstances at the time you applied to see if you ((ean)) may get basic food benefits within seven calendar days. This is called "expedited service."

(2) To get expedited service, you must provide proof of who you are and meet one of the following conditions:

(a) Have gross monthly income (before taxes), minus exclusions as defined in WAC 388-450-0015, of under one hundred fifty dollars ((and)) and have available ((eash-ef)) liquid resources as defined in WAC 388-470-0055 of one hundred dollars or less; ((or))

(b) Have gross monthly income (before taxes), minus exclusions as defined in WAC 388-450-0015, ((plus)) plus available ((eash)) liquid resources as defined in WAC 388-470-0055 of less than your total shelter costs (rent or mortgage and the utility allowance you are eligible for under WAC 388-450-0195); or

(c) Be a destitute migrant or seasonal farm worker household((r)) under WAC 388-406-0021, ((and)) and your household's available ((eash)) liquid resources as defined in WAC 388-470-0055 is one hundred dollars or less.

(3) If you are eligible for expedited service and are not required to have an office interview under WAC 388-452-0005, you ((ean)) may have a telephone interview and still get benefits within seven days.

(4) If you are applying for basic food, "day one" of your seven-day expedited service period starts on the:

(a) Day after the date you filed your application;

(b) Date you are released from a public institution; or

(c) Date of your interview if you:

(i) Waived your expedited interview and we decide you are eligible for expedited service during your rescheduled interview; or

(ii) Were screened as ineligible for expedited service and we later determine you are eligible for the service during your interview.

(5) If you get expedited service, we only require verification of your identity to provide your first benefit issuance within seven days. Other required verifications may be postponed.

(6) All postponed verification must be provided for your ongoing eligibility to be determined and any additional benefits to issue. If you applied:

(a) On or before the 15th of the month, we issue one month's benefits and you have up to thirty days from the date of application to give us any postponed verification; or

(b) On or after the 16th of the month, we issue two months' benefits and you have until the end of the second month to give us any postponed verification.

(7) If we ((ean)) may determine ongoing eligibility at your interview and do not need to postpone any required verifications, we will assign you a regular certification period as described in WAC 388-416-0005.

(8) If you have received expedited service in the past, you can get this service again if you meet the requirements listed in subsection (2) ((above)) of this subsection and you:

(a) Gave us all the information we needed to determine ongoing eligibility for your last expedited service benefit period; or

(b) Were certified under normal processing standards after your last expedited certification.

(9) If you reapply for benefits:

(a) Before your certification period ends, you are not eligible for expedited service;

(b) After your certification period ends, your seven-day expedited service period is the same as a new application;

(c) While you receive transitional food assistance as described in chapter 388-489 WAC, you are not eligible for expedited service.

(10) If you are denied expedited service, you (~~can~~) may ask for a department review of our decision. We review the decision within two working days.