



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: December 27, 2023

TIME: 3:46 PM

WSR 24-02-044

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

**Subject of possible rule making:** The department is planning to amend the following WAC sections and other related rules as may be required: WAC 388-416-0005 *“How long can I get Basic Food?”* and 388-418-0011 *“What is a mid-certification review, and do I have to complete one in order to keep receiving benefits?”* and other related rules as may be required. Planned amendments are necessary to comply with the approved federal waiver for the Elderly Simplified Application Project (ESAP), extending the Basic Food certification period from 12 months to 36 months for households where all members are age 60 or older and/or disabled adults with no earned income. Other related rules as may be required. 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.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 74.04.050, 74.04.500, 74.04.510, 74.08A.120.

**Reasons why rules on this subject may be needed and what they might accomplish:** See above.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The US Department of Agriculture Food and Nutrition Services (FNS) administers SNAP provisions of the 2008 Food and Nutrition Act, as amended, codified in the Code of Federal Regulations (CFR). The department amends rules to align with the act, federal regulations, and FNS administrative notices and formal guidance. DSHS incorporates regulations from federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington Basic Food program.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) 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 rulemaking. 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:**

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 Other:

(If necessary)

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

Additional comments:

<b>Date:</b> December 27, 2023	<b>Signature:</b> 
<b>Name:</b> Katherine I. Vasquez	
<b>Title:</b> DSHS Rules Coordinator	