



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: April 12, 2022

TIME: 4:24 PM

WSR 22-09-033

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

Title of rule and other identifying information: (describe subject) The Department is proposing amendments to WAC 388-493-0010, Working family support.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Department is proposing amendments through the expedited rulemaking process for housekeeping purposes. These amendments only remove obsolete references to specific dates and do not change the effect of the rule.

Reasons supporting proposal: These amendments meet the criteria for expedited adoption as set forth in RCW 34.05.353, specifically subsection (1)(c): "The proposed rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect."

Statutory authority for adoption: RCW 74.04.050, RCW 74.04.055, RCW 74.04.057, RCW 74.08.090 and chapter 297, laws of 2022, section 205(1)(c).

Statute being implemented:

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

Name of proponent: (person or organization) Department of Social and Health Services

Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Jake Deskins	PO Box 45470, Olympia, WA 98504-5770	360-480-3411
Implementation:	Jake Deskins	PO Box 45470, Olympia, WA 98504-5770	360-480-3411
Enforcement:	Jake Deskins	PO Box 45470, Olympia, WA 98504-5770	360-480-3411

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): The proposed amendments only remove obsolete references to specific dates and do not change the effect of the rule.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

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Agency: Department of Social and Health Services
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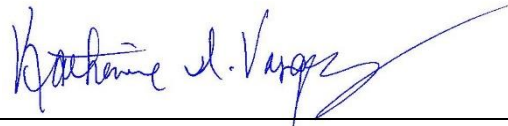
AND RECEIVED BY (date) June 21, 2022

Date: April 11, 2022

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, 2021))~~) to low income families who meet specific criteria. Continuance of the program (~~((beyond June 30, 2021))~~) 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 who is related to your qualifying child through birth or adoption.

(b) "Qualifying child" means a child under the age of (~~((eighteen))~~) 18 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 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))~~) 200% 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))~~) 35 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 as required under WAC 388-468-0005.

(4) How may 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 may 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 in subsection (3) of this section and provide current proof that you, your spouse, or co-parent works a minimum of (~~((thirty-five))~~) 35 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 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~~) 35 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~~) \$10 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~~) 10,000 households per month.