



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

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

Subject of possible rule making:

- WAC 388-448-0080 PEP sep V – How we determine your ability to function in a work environment if you have an mental impairment,
- WAC 388-448-0090 PEP step V – How we determine your ability to function in a work environment if you have a physical impairment,
- WAC 388-448-0100 PEP step VI - How we evaluate capacity to perform relevant past work,
- WAC 388-448-0110 PEP step VII – How we evaluate your capacity to perform other work, and
- Any other related WACs.

The Community Services Division is proposing to redefine General Assistance incapacity. This may include, but is not limited to, changes regarding social factors, vocational factors and the Administrative Review Team.

Statutes authorizing the agency to adopt rules on this subject:

RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.005

Reasons why rules on this subject may be needed and what they might accomplish:

The department will propose amendments to WAC 388-448-0080, WAC 388-448-0090, WAC 388-448-0100, WAC 388-448-0110, and any other related WACs, in order to more closely align the General Assistance incapacity criteria with the Social Security Administration disability criteria. In addition, the proposed amendments could help the department stay within budget appropriations for the program.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

None.

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 rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE
September 22, 2009

NAME (TYPE OR PRINT)
Stephanie Vaughn

SIGNATURE

TITLE
DSHS Rules Coordinator

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