



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

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

- Preproposal Statement of Inquiry** was filed as WSR 09-06-085 ; or  
 **Expedited Rule Making--Proposed notice** was filed as WSR \_\_\_\_\_; or  
 **Proposal is exempt under RCW 34.05.310(4).**

- Original Notice**  
 **Supplemental Notice to WSR** \_\_\_\_\_  
 **Continuance of WSR** \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject)

The department is amending:  
WAC 388-492-0070 How are my WASHCAP food benefits calculated?

**Hearing location(s):**

Office Building 2 - Auditorium  
(DSHS Headquarters)  
1115 Washington  
Olympia, WA 98504  
Public parking at 11<sup>th</sup> and Jefferson. A map is available at:  
<http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html>  
or by calling 360-664-6094.

Date: **May 26, 2009** Time: **10:00 am**

**Submit written comments to:**

Name: DSHS Rules Coordinator  
Address: PO Box 45850, Olympia WA, 98504  
Delivery: 4500 – 10<sup>th</sup> Ave. SE, Lacey, Washington 98503  
E-mail: [schilse@dshs.wa.gov](mailto:schilse@dshs.wa.gov) Fax: (360) 664-6185

by **5:00 pm May 26, 2009**

**Assistance for persons with disabilities:** Contact Jennisha Johnson, DSHS Rules Consultant by May 12, 2009  
TTY (360) 664-6178 or (360) 664-6094 or  
by e-mail at [johnsjl4@dshs.wa.gov](mailto:johnsjl4@dshs.wa.gov)

**Date of intended adoption:** Not earlier than May 27, 2009  
(Note: This is **NOT** the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The department proposed to amend WAC 388-492-0070 to implement changes necessary to meet cost neutrality requirements between the Washington State Combined Application Project (WASHCAP) and the Supplemental Nutrition Assistance Program as specified in the approved WASHCAP demonstration project waiver.

**Reasons supporting proposal:**

The department is required by USDA Food and Nutrition Service to maintain cost neutrality between the Washington State Combined Application Project (WASHCAP) and the Supplemental Nutrition Assistance Program as specified in the approved WASHCAP demonstration project waiver. This proposed rule change will fulfill this federal requirement.

**Statutory authority for adoption:** RCW 74.04.050; 74.04.055; 74.04.057; 74.04.500; 74.04.510; and 74.08.090

**Statute being implemented:** RCW 74.04.050; 74.04.055; 74.04.057; 74.04.500; 74.04.510; and 74.08.090

**Is rule necessary because of a:**

- Federal Law?  Yes  No  
 Federal Court Decision?  Yes  No  
 State Court Decision?  Yes  No  
 If yes, CITATION:  
 7 CFR 273.9; 7 CFR 273.10; Section 5(e)  
 and 8(c) of the Food Stamp Act of 1977;

**DATE**  
April 16, 2009

**NAME** (type or print)  
Stephanie Schiller

**SIGNATURE**

**TITLE**  
DSHS Rules Coordinator

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED**

**DATE: April 20, 2009**

**TIME: 2:06 PM**

**WSR 09-09-105**

(COMPLETE REVERSE SIDE)

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None.

**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..... Don Winslow	712 Pear St SE Olympia, WA 98504	(360) 725-4580
Implementation.... Don Winslow	712 Pear St SE Olympia, WA 98504	(360) 725-4580
Enforcement..... Don Winslow	712 Pear St SE Olympia, WA 98504	(360) 725-4580

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

Phone: ( )

Fax: ( )

E-mail:

No. Explain why no statement was prepared.

This proposed rule does not have an economic impact on small businesses, it only affects DSHS clients by setting standards used to determine eligibility and benefit levels for the Washington Combined Application Program.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone: ( )

Fax: ( )

E-mail:

No: Please explain: These amendments are exempt as allowed under RCW 34.05.328(5)(b)(vii) which states in-part, "[t]his section does not apply to...rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

AMENDATORY SECTION (Amending WSR 08-21-106, filed 10/16/08, effective 11/16/08)

**WAC 388-492-0070 How are my WASHCAP food benefits calculated?**

We calculate your food benefits as follows:

- (1) We begin with your gross income.
- (2) We subtract one hundred forty-four dollars from your gross income to get your countable income.
- (3) We figure your shelter cost based on information we receive from Social Security Administration (SSA), unless you report a change as described under WAC 388-492-0080. If you pay:
  - (a) (~~Two hundred eighty-four~~) Three hundred dollars or more a month for shelter, we use three hundred seventy-nine dollars as your shelter cost; or
  - (b) Less than (~~two hundred eighty-four~~) three hundred dollars for shelter, we use one hundred eighty-two dollars as your shelter cost; and
  - (c) We add the current standard utility allowance under WAC 388-450-0195 to determine your total shelter cost.
- (4) We figure your shelter deduction by subtracting one half of your countable income from your shelter cost.
- (5) We figure your net income by subtracting your shelter deduction from your countable income and rounding the resulting figure up from fifty cents and down from forty-nine cents to the nearest whole dollar.
- (6) We figure your WASHCAP food benefits (allotment) by:
  - (a) Multiplying your net income by thirty percent and rounding up to the next whole dollar; and
  - (b) Subtracting the result from the maximum allotment under WAC 388-478-0060.
  - (c) If you are eligible for WASHCAP, you will get at least the minimum monthly benefit for Basic Food under WAC 388-412-0015.