



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 08-22-085 ; 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 proposing amendments to WAC 388-452-0005, Do I have to be interviewed in order to get benefits?

Hearing location(s):

Blake Office Park East – Rose Room
4500 – 10th Ave. SE
Lacey, Washington 98503
(One block north of the intersection of Pacific Ave. SE and Alhadeff Lane. A map or directions are available at <http://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling 360-664-6094)

Date: **December 8, 2009** Time: **10:00 am**

Submit written comments to:

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

by 5:00 pm on December 8, 2009

Assistance for persons with disabilities: Contact Jennisha Johnson, DSHS Rules Consultant by November 24, 2009
TTY (360) 664-6178 or (360) 664-6094 or
by e-mail at johnsjl4@dshs.wa.gov

Date of intended adoption: Not earlier than December 9, 2009
(Note: This is **NOT** the **effective** date)

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

The Community Services Division, Economic Services Administration is proposing to revise WAC 388-452-0005 Do I need to be interviewed in order to get benefits?, to establish when households must have an interview in order to be eligible for department programs, and to allow a telephone interview instead of having an interview at the local office.

Reasons supporting proposal:

The department will amend rules for Basic Food consistent with approved waivers to interview requirements Under 7 CFR § 273.2 (e) related to required interviews for the Supplemental Nutrition Assistance Program (SNAP). SNAP was previously known as the Food Stamp Program.

Statutory authority for adoption: RCW 74.04.050; 74.04.055; 74.04.057; 74.04.500; 74.04.510; 74.04.515; 74.08.090; 74.08A.120; and 74.08A.903.

Statute being implemented: RCW 74.04.050; 74.04.055; 74.04.057; 74.04.500; 74.04.510; 74.04.515; 74.08.090; 74.08A.120; and 74.08A.903.

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 § 273.2

DATE
October 30, 2009

NAME (type or print)
Stephanie Vaughn

SIGNATURE

TITLE
DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 02, 2009

TIME: 11:34 AM

WSR 09-22-067

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 establishing when households must have an interview in order to be eligible for department programs and indicates when households may have a telephone interview instead of having an interview at the local office.

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 04-10-102, filed 5/4/04, effective 7/1/04)

WAC 388-452-0005 Do I have to be interviewed in order to get benefits? (1) Unless you are applying for medical only, you or your authorized representative must have an interview with the department:

(a) At initial certification; and

(b) At least once every twelve months ((if your assistance unit (AU) is certified for twelve months or less)).

(2) ((You do not have to attend)) An interview is not required if you are applying for or recertifying medical benefits only. If we deny your application for cash or Basic Food because you did not have an interview, we continue to process your request for medical benefits.

(3) You will have just one interview even if you are applying for or are having a review for benefits from more than one program.

(4) We hold interviews either in person or over the phone.

(5) If we do not interview you on the same day that we ((get)) receive your application, we will schedule an interview appointment for you((. We schedule your appointment the day we get your application or on the next business day if we get your application outside of our scheduled business hours, on a holiday or a weekend.

(5) We schedule an interview so your AU has at least ten days after the interview to provide needed verification:

(a) Before the end of the thirty-day processing period for applications; or

(b) Before your certification period ends for eligibility reviews or recertifications)) or have you contact us by phone during our business hours to complete your interview.

(6) If we schedule an interview, we will set your appointment to allow you at least ten days after the interview to provide needed verification:

(a) Before the end of the thirty-day processing period for applications; or

(b) Before your certification period ends for eligibility reviews or recertifications.

((+6)) (7) If you miss your first interview and ask for another interview within thirty days of the date you applied for benefits, we schedule a second interview ((for you)) or have you call us and complete the interview over the phone.

((+7)) (8) If you must have an interview for benefits, you or someone who can give us the information we need about your AU must participate in the interview. You may ((bring any person you choose to)) ask any person you choose to help with your interview.

((+8) You may choose someone to take your place in your interview:

(a) For cash assistance if you cannot come to the local office for us to decide if you are eligible for benefits; or

(b)) (9) For Basic Food ((if the person is)) only, your authorized representative as described in WAC 388-460-0005 may take

your place during your interview.

~~((9) We usually have interviews at the local office. You can have a scheduled telephone interview if there is **any reason** you cannot attend an interview at the local office. Examples of reasons you may be unable to attend an interview include:~~

~~(a) Your work or training schedule make it inconvenient for you to attend an in-office interview during regular business hours;~~

~~(b) You are unable to take time off of work to attend an in-office interview, because you would not get paid for this time or you fear you could lose your job;~~

~~(c) Someone in your AU is ill, or you have to stay home to care for an AU member;~~

~~(d) You are having transportation problems;~~

~~(e) You can't safely get to the office because of severe weather;~~

~~(f) You live in a remote area and can't easily get to the local office;~~

~~(g) All the people in your AU are elderly, mentally disabled, or physically disabled;~~

~~(h) Someone in your AU is affected by family violence such as physical or mental abuse, harassment, or stalking by the abuser; or~~

~~(i) You have **any other** situation that makes it difficult for you to come into the office for an interview.~~

~~(10) If you currently get benefits from the department and you are completing an eligibility review or recertification for ongoing benefits under chapter 388-434 WAC, you can have a scheduled phone interview even if you do not meet the requirements for a phone interview listed above.))~~