



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, Community Services Division

Subject of possible rule making: The department is proposing to amend:

- WAC 388-414-0001 "Do I have to meet all eligibility requirements for Basic Food?"
- WAC 388-468-0005, "Residency"
- Other related rules.

Statutes authorizing the agency to adopt rules on this subject:

RCW 74.04.050; 74.04.055; 74.04.057; 74.04.510; 74.08.090; 74.04.500; 74.08A.120; 7 CFR §§ 273.2 and 273.3

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

The department proposes to amend WAC 388-414-0001 to fully incorporate requirements under Title 7 of the Code of Federal Regulations (CFR) §273.2 (j) related to categorical eligibility (CE) for the federal Supplemental Nutrition Assistance Program (SNAP) and the requirement to verify residency if questionable at application and recertification for certain households.

The department is also proposing to amend WAC 388-468-0005 to clarify that households that are considered Categorical Eligible based on the receipt of non-cash public assistance benefits (broad-based categorical eligibility) have the same state residency verification requirements as non-CE households and both household types can be out of state for more than one month and still be considered a resident. Other related rules may be needed.

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

The United States Department of Agriculture, Food and Nutrition Service (FNS) enforces the provisions of the federal Supplemental Nutrition Assistance Program (SNAP) as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will propose amendments to Categorically Eligible (CE) rules that are consistent with the act, federal regulations, FNS administrative notices and interim guidance.

The state legislature authorizes the department to administer the Food Stamp Program (SNAP) and food assistance program for legal immigrants under RCW 74.04.500, 74.04.510, and 74.08A.120.

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.) Contact: Bob Thibodeau, Lead Program Manager

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DATE

October 15, 2014

NAME (TYPE OR PRINT)

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SIGNATURE

TITLE

DSHS Rules Coordinator

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

FILED

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