



# 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:**

The Department proposes to amend WAC 388-400-0050 "If I am not eligible for federal benefits through Washington Basic Food program because of my alien status, can I receive benefits through the state-funded food assistance program?"

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 74.08A.120 authorizes the Food Assistance Program for Legal Immigrants (FAP). Section (3) states "The benefit under the state food assistance program shall be established by the legislature in the biennial operating budget." The 2015-2017 Biennial Budget (ESSB 6052), which passed the Legislature and was signed by the Governor, increased funding for FAP and set benefits at 100% of the federal food benefit level beginning July 1, 2015.

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

The 2015-2017 Biennial Budget (ESSB 6052) increased funding for FAP and set benefits at 100% of the federal food benefit level beginning July 1, 2015.

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

DSHS incorporates regulations from federal agencies, exercises state options, and implements approved waivers and demonstration projects by adopting administrative rules for the federal Supplemental Nutrition Assistance Program (SNAP) administered as the Washington Basic Food Program. For persons who do not meet citizenship or alien status requirements the department may establish a state-funded food assistance program for legal immigrants under RCW 74.08A.120. Department rules related to eligibility for noncitizens who do not meet alien status requirements for SNAP must comply with RCW 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: John Camp, Administrator, Food Assistance Programs  
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**DATE**  
July 9, 2015

**NAME (TYPE OR PRINT)**  
Katherine Vasquez

**SIGNATURE**

**TITLE**  
DSHS Rules Coordinator

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OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: July 10, 2015**

**TIME: 10:47 AM**

**WSR 15-15-061**