



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(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:16-15-012; or
- Expedited Rule Making--Proposed notice was filed as WSR:\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR:
- Continuance of WSR:

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

The department is proposing to amend WAC 388-444-0075 "What are the penalties if I quit a job or reduce my work effort without good cause?".

**Hearing location(s):**

Office Building 2  
DSHS Headquarters  
1115 Washington  
Olympia, WA 98504

Public parking at 11<sup>th</sup> and Jefferson. A map is available at:  
<https://www.dshs.wa.gov/sesa/rules-and-policies-assistance-unit/driving-directions-office-bldg-2>

Date: **October 11, 2016** Time: **10:00 a.m.**

**Date of intended adoption:** Not earlier than October 12, 2016  
(Note: This is **NOT** the **effective** date)

**Submit written comments to:**

Name: DSHS Rules Coordinator  
Address: PO Box 45850  
Olympia, WA 98504  
e-mail: [DSHSRPAURulesCoordinator@dshs.wa.gov](mailto:DSHSRPAURulesCoordinator@dshs.wa.gov)  
fax: (360) 664-6185  
**by: 5:00 p.m. October 11, 2016**

**Assistance for persons with disabilities:** Contact:

Jeff Kildahl, DSHS Rules Consultant by September 27, 2016  
Phone: (360) 664-6092 or TTY: (360) 664-6178  
Email: [KildaJA@dshs.wa.gov](mailto:KildaJA@dshs.wa.gov)

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

The proposed amendment will reduce the penalty period for applying for Basic Food from sixty days to thirty days after voluntarily quitting a job or reducing work effort without good cause.

**Reasons supporting proposal:**

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. DSHS adopts rules for cash assistance conforming to Federal regulations under title 45 CFR, title IV-A of the Social Security Act, title 74 RCW, and the approved TANF State plan.

**Statutory authority for adoption:** RCW 74.04.050, RCW 74.04.055, RCW 74.04.057, RCW 74.08.090, RCW 74.04.510, 7 CFR 273.7

**Statute being implemented:**

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**DATE**  
August 31, 2016

**NAME** (type or print)  
Katherine Vasquez

**SIGNATURE**

**TITLE**  
DSHS Rules Coordinator

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: September 01, 2016**

**TIME: 3:24 PM**

**WSR 16-18-061**

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

**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:	Corinna Adams	712 Pear Street, Olympia, WA 98501	(360) 725-4640
Implementation:	Corinna Adams	712 Pear Street, Olympia, WA 98501	(360) 725-4640
Enforcement:	Corinna Adams	712 Pear Street, Olympia, WA 98501	(360) 725-4640

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal 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.

The proposed rule does not have an economic impact on small businesses. It only impacts DSHS clients.

**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, "this 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 13-24-056 and 13-21-126, filed 11/26/13 and 10/22/13, effective 12/27/13 and 11/22/13)

**WAC 388-444-0075 What are the penalties if ~~((I))~~ you quit a job or reduce ~~((my))~~ your work effort without good cause?** (1) If you have applied for basic food and have voluntarily quit a job or reduced your work effort as defined under WAC 388-444-0065 without good cause within ~~((sixty))~~ thirty days before applying for basic food, we will deny your application and ~~((you must have))~~ impose a penalty period as described under subsection (3) of this section from the date of your application.

(2) If you already receive basic food and ~~((you))~~ quit your job or reduce your work effort without good cause, we will send you a letter notifying you that you will be disqualified from basic food. The disqualification in subsection (3) of this section begins the first of the month following ~~((the))~~ our notice of adverse action.

(3) You are disqualified for the following minimum periods of time and until the conditions in subsection (4) of this section are met:

(a) For the first quit or reduction of work effort, one benefit month;

(b) For the second quit or reduction of work effort, three benefit months; and

(c) For the third or subsequent quit or reduction of work effort, six benefit months.

(4) You may reestablish eligibility after serving the disqualification period if you comply with the work requirements under WAC 388-444-0005 and are otherwise eligible.

(5) If you become exempt from work registration under WAC 388-444-0010, we will end your disqualification for a job quit or reduction of work effort ~~((unless you are exempt because you are applying for or receiving unemployment compensation (UC), or participating in an employment and training program under TANF))~~.

(6) If you are exempt or requalify due to participation in unemployment compensation (UC) or temporary assistance for needy families (TANF), you must meet the work requirements in these programs to remain eligible for basic food.

(7) If you are disqualified, and move from the assistance unit, and join another assistance unit, we will continue to treat you as an ineligible member of the new assistance unit for the remainder of the disqualification period.