



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

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

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose:

The Department is amending WAC 388-444-0030, "Do I have to work to be eligible for Basic Food benefits if I am an able-bodied adult without dependents (ABAWD)?" to extend the date for which the ABAWD Waiver applies. The amendments also align rules with the Code of Federal Regulations, specifically regarding living with a minor, participating at least 20 hours in a variety of activities, and replacing the Job Training Partnership Act terminology with the Workforce Innovation and Opportunity Act of 2014.

These rule changes are not expected to impact eligibility and benefits for the Washington Basic Food program and the state-funded Food Assistance Program (FAP) for legal immigrants as these rules and procedures are already in effect and being applied to Basic Food eligibility decisions. Under RCW 74.08A.120, rules for FAP shall follow exactly the rules of the federal food stamp program (SNAP) except for the provisions pertaining to immigrant status.

Citation of existing rules affected by this order:

Repealed: None
Amended: WAC 388-444-0030
Suspended: None

Statutory authority for adoption: RCW 74.04.050, RCW 74.04.055, RCW 74.04.057, RCW 74.04.510, and RCW 74.08.090

Other authority: 7 CFR 273.24

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 15-14-074 on 6-26-2015.

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted: August 26, 2015

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: August 26, 2015

TIME: 4:17 PM

WSR 15-18-042

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	<u>1</u>	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>1</u>	Repealed	_____

WAC 388-444-0030 ((Do I have to work)) What additional work requirements and time limits is an able-bodied adult without dependents (ABAWD) subject to in order to be eligible for Basic Food ((benefits if I am an able-bodied adult without dependents (ABAWD)))? (1) An able-bodied adult without dependents (ABAWD) is a person who:

(a) ~~Is ((physically and mentally able to work))~~ required to register for work under WAC 388-444-0005; and

(b) Is age eighteen through forty-nine; and

(c) ~~((Has no child in the household))~~ Does not live with any minor children.

(2) If you are an ABAWD, you must participate in employment and training activities under subsection (4) unless you are exempt from ABAWD requirements under WAC 388-444-0035.

(3) Nonexempt ABAWDs who fail to participate may continue to receive food assistance until ~~((September 30))~~ December 31, 2015.

(4) Beginning ~~((October 1, 2015))~~ January 1, 2016, ~~((an))~~ a non-exempt ABAWD is not eligible to receive food assistance for more than three full months in a thirty-six month period, ~~((except as provided in WAC 388-444-0035,))~~ unless that person participates in at least twenty hours a week averaged monthly in any of the following:

(a) ~~((Is exempt from ABAWD requirements under WAC 388-444-0035;~~

~~(b) Works at least twenty hours a week averaged monthly))~~ Paid work;

~~((c) Participates in on))~~ (b) On the job training (OJT), which may include paid work and classroom training time~~((, for at least twenty hours a week));~~

~~((d) Participates in))~~ (c) An unpaid work program as provided in WAC 388-444-0040; or

~~((e))~~ (d) Participates in ((and meets the requirements of)) one of the following work programs and is meeting the requirements of that work program:

(i) ~~The ((Job Training Partnership))~~ Workforce Innovation and Opportunity Act ((+JTPA)) of 2014;

(ii) Section 236 of the Trade Act of 1974; or

(iii) A state-approved employment and training program.