



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: October 02, 2023

TIME: 1:15 PM

WSR 23-20-093

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

Subject of possible rule making: The department is planning to amend the following WAC sections and other related rules as may be required:

- WAC 388-412-0025, "How do I receive my benefits?"
- WAC 388-450-0162, "How does the department count my income to determine if my assistance unit is eligible and how does the department calculate the amount of my cash and basic food benefits?"
- WAC 388-450-0165, "Gross earned income limit for TANF/SFA."
- WAC 388-450-0200, "Will the medical expenses of elderly persons or individuals with disabilities in my assistance unit be used as an income deduction for basic food?"
- WAC 388-450-0225, "How are my assistance unit's benefits calculated for the first month I am eligible for cash assistance?"
- WAC 388-455-0015, "When and how does the department treat lump sum payments as income for cash assistance programs?"
- WAC 388-473-0010, "What are ongoing additional requirements and how do I qualify?"
- WAC 388-473-0020, "When do we authorize meals as an ongoing additional requirement?"
- WAC 388-473-0040, "Food for service animals as an ongoing additional requirement."
- WAC 388-473-0050, "Telephone services as an ongoing additional requirement."
- WAC 388-473-0060, "Laundry as an ongoing additional requirement."
- WAC 388-478-0050, "Payment standards for ongoing additional requirements."

The department is also planning to create the following WAC sections:

- WAC 388-473-XXXX, "Transportation as an ongoing additional requirement."
- WAC 388-473-XXXX, "Medical related items or services as an ongoing additional requirement."

Statutes authorizing the agency to adopt rules on this subject: [RCW 74.04.005, 74.08.283

Reasons why rules on this subject may be needed and what they might accomplish: Effective April 1, 2024, individuals with an incapacity who are eligible for the Housing and Essential Needs Referral program (via WAC 388-400-0070) are potentially eligible for ongoing additional requirements (OAR). Payment standards for existing OAR benefits will increase, and new OAR benefits will be added to assist with things such as transportation and medical related items not covered by insurance. As needed, planned amendments will make additional changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations.

The Operating Budget (ESSB 5187: Chapter 475, Laws of 2023) includes funding to support this change.

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

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Name:
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Additional comments:

Date: October 2, 2023

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:

