



# PROPOSED RULE MAKING

## CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: October 05, 2021

TIME: 12:26 PM

WSR 21-20-125

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

**Original Notice**

**Supplemental Notice to WSR** \_\_\_\_\_

**Continuance of WSR** \_\_\_\_\_

**Preproposal Statement of Inquiry was filed as WSR 21-17-068 ; 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); or**

**Proposal is exempt under RCW \_\_\_\_\_.**

**Title of rule and other identifying information:** (describe subject) The department is proposing to amend WAC 388-478-0015, Needs standards for cash assistance.

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
November 9, 2021	10:00 a.m.	Office Building 2 DSHS Headquarters 1115 Washington Olympia, WA 98504  <b>Or virtually</b>	Public parking at 11 <sup>th</sup> and Jefferson. A map is available at: <a href="https://www.dshs.wa.gov/sesa/rules-and-policies-assistance-unit/driving-directions-office-bldg-2">https://www.dshs.wa.gov/sesa/rules-and-policies-assistance-unit/driving-directions-office-bldg-2</a>  Due to the COVID 19 pandemic hearings are being held virtually. Please see the DSHS website for the most current information.

**Date of intended adoption:** Not earlier than November 10, 2021 (Note: This is **NOT** the effective date)

**Submit written comments to:**

Name: DSHS Rules Coordinator

Address: PO Box 45850  
Olympia, WA 98504

Email: [DSHSRPAURulesCoordinator@dshs.wa.gov](mailto:DSHSRPAURulesCoordinator@dshs.wa.gov)

Fax: 360-664-6185

Other:

By (date) 5:00 p.m. November 9, 2021

**Assistance for persons with disabilities:**

Contact Shelley Tencza, Rules Consultant

Phone: 360-664-6198

Fax: 360-664-6185

TTY: 711 Relay Service

Email: [Tencza@dshs.wa.gov](mailto:Tencza@dshs.wa.gov)

Other:

By (date) 5:00 pm October 26, 2021

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The department is required by RCW 74.04.770 to establish standards of need for cash assistance programs on an annual basis.

**Reasons supporting proposal:** See above.

**Statutory authority for adoption:** RCW 74.04.770, RCW 74.04.050, RCW 74.04.055, RCW 74.04.057, and RCW 74.08.090

**Statute being implemented:**

**Is rule necessary because of a:**

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Name of proponent:** (person or organization) Department of Social and Health Services

<input type="checkbox"/> Private
<input type="checkbox"/> Public
<input checked="" type="checkbox"/> Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Sarah Garcia	PO Box 45470, Olympia, WA 98504-5470	360-522-2214
Implementation:	Sarah Garcia	PO Box 45470, Olympia, WA 98504-5470	360-522-2214
Enforcement:	Sarah Garcia	PO Box 45470, Olympia, WA 98504-5470	360-522-2214

**Is a school district fiscal impact statement required under RCW 28A.305.135?**  Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

**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:  
TTY:  
Email:  
Other:

No: Please explain: This amendment is exempt as allowed under RCW 34.05.328(5)(b)(vii) which states in part, "[t]his 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."

**Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW 34.05.328(5)(b)(vii).

Explanation of exemptions, if necessary: The proposed amendments do not impact small businesses. They only impact DSHS clients.

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency’s analysis showing how costs were calculated. \_\_\_\_\_
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

**Date:** October 5, 2021

**Name:** Katherine I. Vasquez

**Title:** DSHS Rules Coordinator

**Signature:**

**WAC 388-478-0015 Need standards for cash assistance.** The monthly need and payment standards for cash assistance are based on a determination of the assistance unit size. The need standards for cash assistance units are:

~~((1) Effective January 1, 2020:))~~

Assistance unit size	Need standard
1	<del>(\$1,520)</del> <u>\$1,631</u>
2	<del>((1,923))</del> <u>2,064</u>
3	<del>((2,374))</del> <u>2,548</u>
4	<del>((2,801))</del> <u>3,007</u>
5	<del>((3,229))</del> <u>3,465</u>
6	<del>((3,656))</del> <u>3,924</u>
7	<del>((4,226))</del> <u>4,535</u>
8	<del>((4,677))</del> <u>5,020</u>
9	<del>((5,128))</del> <u>5,504</u>
10 or more	<del>((5,579))</del> <u>5,988</u>

~~((2) Effective January 1, 2021:))~~

<del>((Assistance unit size</del>	<del>Need standard))</del>
<del>((1</del>	<del>\$1,538))</del>
<del>((2</del>	<del>1,946))</del>
<del>((3</del>	<del>2,402))</del>
<del>((4</del>	<del>2,834))</del>
<del>((5</del>	<del>3,267))</del>
<del>((6</del>	<del>3,699))</del>
<del>((7</del>	<del>4,276))</del>
<del>((8</del>	<del>4,732))</del>
<del>((9</del>	<del>5,188))</del>
<del>((10 or more</del>	<del>5,645))</del>