



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 26, 2019

TIME: 9:31 AM

WSR 19-06-015

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

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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 388-412-0020 "When do I get my benefits?". The amended language will allow the department to issue March 2019 basic food benefits early to some of the households that received February 2019 benefits in January 2019. The March early issuance will reduce the number of days between issuance cycles for the affected households.

Citation of rules affected by this order:

New: None
 Repealed: None
 Amended: WAC 388-412-0020
 Suspended: None

Statutory authority for adoption: RCW 74.04.050, RCW 74.04.055, RCW 74.04.057, RCW 74.04.510, RCW 74.04.541, RCW 74.08.090

Other authority: 7 U.S.C. § 2016(g)(1), 7 C.F.R. § 274.2(d)(1)

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: Implementation of the above-referenced rule is necessary to reduce the days between benefit issuances for a large population of public food assistance recipients. Reducing the number of days between issuances is necessary to reduce food insecurity for the affected households. These households would otherwise have up to 58 days between issuance dates, when they would normally have 30 days between issuance dates. Implementing this rule also allows the department to remain within federal regulations of no more than 40 days between benefit issuances. February 2019 public food assistance benefits were issued early due to impacts of the partial federal government shutdown that began in late 2018.

**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	1	Repealed _____
Recently enacted state statutes:	New	Amended	_____	Repealed _____

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

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New ____ Amended ____ Repealed ____

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

New ____ Amended ____ Repealed ____

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	____

Date Adopted: February 20, 2019	Signature: 
Name: Katherine I. Vasquez	
Title: DSHS Rules Coordinator	

AMENDATORY SECTION (Amending WSR 16-20-087, filed 10/4/16, effective 2/1/17)

WAC 388-412-0020 When do I get my benefits? (1) If you get your cash benefits on an electronic benefits card (EBT), you get your cash benefits deposited on the first of each month.

(2) If you get your cash benefits deposited directly to your bank account by electronic funds transfer (EFT), your money is deposited on the first working day of the month. When the first of the month is a federal holiday or a Sunday, the benefits are deposited the following day.

(3) If you get basic food, your benefits are issued by the twentieth day of each month. Our eligibility system automatically assigns the day you get your benefits when we approve your basic food. We tell you the date you will get your monthly benefits on your approval letter.

(4) We will issue basic food benefits early for some households in March 2019.