



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: June 24, 2020

TIME: 11:11 AM

WSR 20-14-030

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

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) June 27, 2020

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 creating new WAC 388-437-0010, Pandemic EBT benefits, to implement Pandemic EBT benefits as provided under H.R. 6201, The Families First Coronavirus Response Act. The US Department of Agriculture (USDA) Food and Nutrition Service has approved Washington state's plan to provide Pandemic EBT benefits to households with school age children participating in the free or reduced-price meal program whose schools have been closed for at least five consecutive days due to the public health emergency declaration related to the Coronavirus (COVID-19) pandemic.

Citation of rules affected by this order:

New: WAC 388-437-0010
 Repealed: None
 Amended: None
 Suspended: None

Statutory authority for adoption: RCW 74.04.005; RCW 74.04.050; RCW 74.04.055; RCW 74.04.057; RCW 74.04.500; RCW 74.04.510; RCW 74.08.090; RCW 74.08A.120

Other authority:

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: Under the Families First Coronavirus Response Act, Title I, Sec 1101, the USDA may approve state plans to provide emergency Supplemental Nutrition Assistance Program (SNAP) benefits to households with children who would otherwise receive free or reduced-price school meals if their schools were not closed due to the COVID-19 public health emergency. The child's school must be closed for at least five consecutive days for the household to be eligible for benefits. States may provide the benefits using the Electronic Benefit Transfer system.

**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	<u>1</u>	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	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:

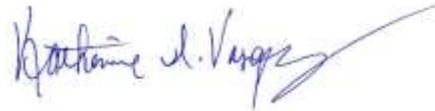
Negotiated rule making:	New	____	Amended	____	Repealed	____
Pilot rule making:	New	____	Amended	____	Repealed	____
Other alternative rule making:	New	<u>1</u>	Amended	____	Repealed	____

Date Adopted: June 24, 2020

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



NEW SECTION

WAC 388-437-0010 Pandemic EBT benefits. Pandemic EBT benefits are available to households of children whose schools were closed for at least five consecutive days during the emergency designation and who would normally receive free or reduced price meals under the Richard B. Russell National School Lunch Act if not for school closures due to the COVID-19 pandemic.

(1) Household allotments will be no less than the value of school meals at the free rate over the course of five school days for each eligible school age child in the household.

(a) A school age child is defined as household members between the ages of five and eighteen as of October 1, 2019; or

(b) Household members between the ages of eighteen and twenty-one attending high school.

(2) Pandemic EBT benefits will only be issued in months a child met eligibility requirements for free or reduced price lunches.