



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: October 30, 2020

TIME: 11:43 AM

WSR 20-22-065

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

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 1, 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 adopting WAC 388-434-0015, Extension of certification periods and waiver of eligibility reviews and mid-certification reviews during the COVID-19 pandemic, to implement administrative flexibilities regarding certification periods and mid-certification reviews as allowed under H.R. 8337, Continuing Appropriations Act, 2021 and Other Extensions Act of 2020. The department filed a CR-101 Preproposal Statement of Inquiry as WSR 20-22-062 on October 30, 2020 to begin the permanent rule making process.

Citation of rules affected by this order:

New: WAC 388-434-0015
 Repealed: None
 Amended: None
 Suspended: None

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

Other authority: H.R. 8337

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: Emergency adoption of this rule is required to implement administrative flexibilities that protect the health, safety, and general welfare of Washington residents by supporting ongoing access to public assistance.

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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	_____	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 1 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	____	Repealed	____

Date Adopted: October 29, 2020	Signature: 
Name: Katherine I. Vasquez	
Title: DSHS Rules Coordinator	

NEW SECTION

WAC 388-434-0015 Extension of certification periods and waiver of eligibility reviews and mid-certification reviews during the COVID-19 pandemic.

(1) Recertification requirements for food assistance under WAC 388-434-0010 are waived in the months listed below and your certification period will automatically be extended as follows:

(a) Certification periods ending in November 2020 and December 2020 will be automatically extended by two months.

(b) Certification periods ending in January 2021 and February 2021 will be automatically extended by four months, if not previously extended.

(2) Eligibility review requirements for cash assistance under WAC 388-434-0005 are waived as follows:

(a) All eligibility reviews due in November 2020 and December 2020.

(b) Eligibility reviews, not already extended, due in January 2021 and February 2021.

(3) If your cash assistance eligibility review is waived under subsection (2) of this section, the following programs are included:

(a) Temporary assistance for needy families;

(b) State family assistance;

(c) Aged, blind or disabled cash assistance; and

(d) Housing and essential needs referral.

(4) If your working family support certification period ends under WAC 388-493-0010, your certification period will be extended as described in subsection (1) of this section.

(5) Mid-certification review requirements for cash and food assistance under WAC 388-418-0011 are waived from November 1, 2020 to June 30, 2021.

(6) You are still required to report changes under WAC 388-418-0005.

(7) The department will review and act upon any new information we receive from you during this time under WAC 388-418-0020.