



# 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: January 12, 2022

TIME: 10:58 AM

WSR 22-03-045

**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 adopting WAC 388-434-0015, Waiver of mid-certification reviews during the COVID-19 pandemic, to implement administrative flexibilities regarding mid-certification reviews as allowed under Families First Coronavirus Response Act (H.R. 6201), extended via the Continuing Appropriations Act (H.R. 8337).

**Citation of rules affected by this order:**

New: 388-434-0015  
 Repealed:  
 Amended:  
 Suspended: none

**Statutory authority for adoption:** RCW 74.04.500, RCW 74.04.510, and RCW 74.08A.120

**Other authority:** H.R. 6201 and 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:** These changes are required to implement provisions of Section 2301 of the Families First Coronavirus Response Act (H.R. 6201) and flexibilities available through Food and Nutrition Service waiver approval.

**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	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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:**

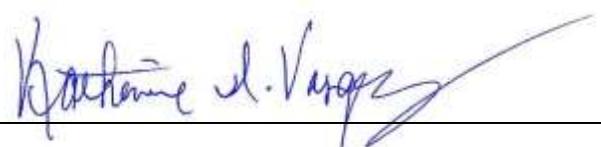
New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**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	____

<b>Date Adopted:</b> January 12, 2022	<b>Signature:</b> 
<b>Name:</b> Katherine I. Vasquez	
<b>Title:</b> DSHS Rules Coordinator	

NEW SECTION

**WAC 388-434-0015 Waiver of mid-certification reviews during the COVID-19 pandemic.** (1) Mid-certification review requirements for cash and food assistance under WAC 388-418-0011 are waived from January 1, 2022, to March 31, 2022.

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

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