



**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: April 27, 2022

TIME: 11:05 AM

WSR 22-10-038

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 extending emergency adoption of WAC 388-434-0015, Waiver of mid-certification reviews during the COVID-19 pandemic, to continue federal Supplemental Nutrition Assistance Program flexibilities regarding mid-certification reviews as allowed under Families First Coronavirus Response Act (H.R. 6201) and extended via the Continuing Appropriations Act (H.R. 8337).

This filing supersedes previous emergency adoption filed as WSR 22-03-045 on January 12, 2022.

The department filed notice of its intent to adopt the rule as permanent via CR-101 under WSR 22-10-008 and is actively pursuing permanent rule-making.

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Repealed: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: This rule is necessary to continue implementing provisions of Section 2301 of the Families First Coronavirus Response Act (H.R. 6201) and related flexibilities available through federal 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	____

Date Adopted: April 25, 2022

Name: Katherine I. Vasquez

Title: Rules Coordinator

Signature:



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 June 30, 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.