



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

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

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) filed under emergency rule effective

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 388-444-0030 to incorporate the annual update to Washington's Supplemental Nutrition Assistance Program (SNAP) state plan concerning able-bodied adults without dependents (ABAWD) time-limits, work requirements, and waivers for all counties in Washington State except King, Snohomish, and most of Pierce County. The cities of Tacoma and Lakewood in Pierce County will remain exempt. The current ABAWD waiver expired December 31, 2015.

Citation of existing rules affected by this order:

Repealed: None
 Amended: WAC 388-444-0030
 Suspended: None

Statutory authority for adoption:

RCW 74.04.050, RCW 74.04.055, RCW 74.04.057, RCW 74.04.510, RCW 74.08.090, RCW 74.04.500, and RCW 74.08A.120

Other authority:

This rule filing reflects the new partial-state waiver in state administrative code. This rule was filed as an emergency rule on December 28, 2015 as WSR 16-02-011 effective January 1, 2016. All non-exempt ABAWD individuals in King, Snohomish, and parts of Pierce County could lose Basic Food benefits as early as April 1, 2016 if they are not participating in an approved work activity. The current ABAWD waiver expired December 31, 2015.

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 16-02-106 on January 5, 2016 (date).

Describe any changes other than editing from proposed to adopted version:

None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

Date adopted:

March 2, 2016

NAME (TYPE OR PRINT)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 03, 2016

TIME: 10:28 AM

WSR 16-07-003

**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	<u>1</u>	Repealed	_____

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

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____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

New	_____	Amended	_____	Repealed	_____
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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	_____

WAC 388-444-0030 What additional work requirements and time limits is an able-bodied adult without dependents (ABAWD) subject to in order to be eligible for Basic Food? (1) An able-bodied adult without dependents (ABAWD) is a person who:

(a) ~~Is ((required to register for work under WAC 388-444-0005))~~ age eighteen through forty-nine; and

(b) ~~Is ((age eighteen through forty-nine))~~ fit for work and not exempted under WAC 388-444-0035(1); and

(c) ~~Does not ((live with any minor children))~~ receive food assistance in an assistance unit (AU) that includes a minor child, even if the minor child is not eligible to receive food assistance in that AU; or

(d) Is not otherwise exempt under WAC 388-444-0035.

(2) If you are an ABAWD, you must participate in ~~((employment and training))~~ work activities under subsection (4) unless you are exempt from ABAWD requirements under WAC 388-444-0035.

(3) Nonexempt ABAWDs who ~~((fail to participate))~~ live outside of King county, Snohomish county or Pierce county, and nonexempt ABAWDs who live within the city of Tacoma or the city of Lakewood, may continue to receive food assistance until December 31, ((2015)) 2016, even if the ABAWD fails to participate.

(4) Beginning January 1, 2016, a nonexempt ABAWD is not eligible to receive food assistance for more than three full months, not including any partial benefit months in a thirty-six month period, unless ~~((that person participates in at least twenty hours a week averaged monthly in any of the following))~~ the ABAWD:

(a) ~~((Paid work))~~ Works at least twenty hours per week, averaged monthly (eighty hours per month). Working includes:

(i) Work in exchange for money;

(ii) Work in exchange for goods or services ("in kind" work);

(iii) Unpaid work that is verified according to department requirements; or

(iv) Any combination of (4)(a)(i) through (4)(a)(iii).

Or

(b) ~~((On the job training (OJT), which may include paid work and classroom training time;~~

~~(c) An unpaid work program as provided in WAC 388-444-0040; or~~

~~(d))~~ Participates in one of the following work programs and is meeting the requirements of that work program:

(i) The Workforce Innovation and Opportunity Act of 2014;

(ii) Section 236 of the Trade Act of 1974; ~~((or))~~

(iii) A state-approved employment and training program; or

(iv) An unpaid work program as provided in WAC 388-444-0040.