



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: June 27, 2018

TIME: 3:31 PM

WSR 18-14-041

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

Effective date of rule:

Permanent Rules

- 31 days after filing.
 Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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 388-406-0010, "How do I apply for cash assistance or Basic Food benefits?" and WAC 388-434-0010, "How do I get Basic Food benefits after my certification period has ended?" in order to clarify the acceptable means a basic food applicant can use to sign their application for benefits.

Citation of rules affected by this order:

New: None
Repealed: None
Amended: WAC 388-406-0010, WAC 388-434-0010
Suspended: None

Statutory authority for adoption: The state legislature authorizes the department to administer SNAP and food assistance program for legal immigrants under RCW 74.04.500, RCW 74.04.510, and RCW 74.08A.120.

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-09-023 on April 11, 2018 (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:
Address:
Phone:
Fax:
TTY:
Email:
Web site:
Other:

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>2</u>	Repealed	___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>2</u>	Repealed	___

Date Adopted: June 27, 2018

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-406-0010 How do I apply for cash assistance or basic food benefits? (1) You can apply for cash assistance or basic food by giving us an application form in person, by mail, by fax, or by completing an online application.

(2) ~~((If your entire assistance unit (AU) gets or is applying for supplemental security income (SSI), your AU))~~ You can file an application for basic food at the local Social Security Administration district office (SSADO) if your entire assistance unit (AU) gets or is applying for supplemental security income (SSI).

(3) ~~((If you are incapacitated, a dependent child, or cannot apply for benefits on your own for some other reason,))~~ A legal guardian, caretaker, or authorized representative can apply for you if you are incapacitated, a dependent child, or cannot apply for benefits on your own for some other reason.

(4) You can apply for cash assistance or basic food with ~~((just))~~ one application form.

(5) ~~((If you apply for benefits at a local office,))~~ We accept your application on the same day ~~((you come in.))~~ if you apply for benefits at ~~((an))~~ a local office ~~((that does not serve the area where you live, we send your application to the appropriate office by the next business day so that office receives your application on the same day we send it)).~~

(6) We accept your application for benefits if it has at least:

(a) For cash assistance, the name, address, and signatures of the responsible adult AU members or person applying for you. A minor child may sign if there is no adult in the AU. Signatures must be handwritten, electronic, or digital as defined by the department, or a mark if witnessed by another person.

(b) For basic food, the name, address, and signature of a responsible member of your AU or person applying for you as an authorized representative under WAC 388-460-0005. Signatures must be handwritten, electronic, or digital as defined by the department, or a mark if witnessed by another person.

(7) As a part of the application process, we may require you to:

(a) Complete an interview if one is required under WAC 388-452-0005;

(b) Meet WorkFirst participation requirements for four weeks in a row if required under WAC 388-310-1600(12);

(c) Give us the information we need to decide if you are eligible as required under WAC 388-406-0030;

(d) Give us proof of information as required under WAC 388-490-0005 so we can determine if you are eligible; and

(e) Complete the WorkFirst orientation if required under WAC 388-400-0005(2) or 388-400-0010(3).

(8) If you are eligible for necessary supplemental accommodation (NSA) services under chapter 388-472 WAC, we help you meet the requirements of this section.

WAC 388-434-0010 How do I get basic food benefits after my certification period ~~((has ended))~~ ends? To keep getting basic food benefits after your certification period in WAC 388-416-0005 ~~((has ended))~~ ends, we must determine if you are still eligible for benefits. This is called recertification.

(1) To be recertified for basic food, you must:

(a) ~~((Turn in and))~~ Sign and turn in an application for benefits as required under WAC 388-406-0010~~((. If you complete an electronic application, your signature is the password you use to complete the electronic application))~~;

(b) Complete an interview if you are required to have ~~((an interview))~~ one under WAC 388-452-0005; and

(c) Submit needed proof of your circumstances if we ask for it.

(2) ~~((If you reapply timely and get recertified before your certification period ends,))~~ We ~~((will))~~ keep depositing your benefits into your EBT (electronic benefit transfer) account on the same day of the month if you reapply timely and get certified before your certification period ends. To reapply timely, we must get your application by the fifteenth day of the last month of your certification period.

(3) ~~((When we decide if you are eligible for benefits,))~~ We ~~((will))~~ send you a letter ~~((to tell))~~ telling you ~~((that))~~ if your benefits ~~((have been))~~ are approved or denied as required under chapter 388-458 WAC.

(4) ~~((If you reapply timely and complete the steps required in subsection (1) by the fifteenth day of the last month of your certification period,))~~ You will get ~~((the))~~ an approval or denial letter by the end of your current certification period if you reapply timely.

(5) ~~((If you do not turn in an application form by the end of your current certification period, you have not taken the action we require for you to get ongoing Basic Food benefits.))~~ Your basic food benefits stop at the end of your certification period if you do not turn in an application form by the end of your current certification period.

(6) ~~((If you turn in your application before your certification period ends,))~~ We start your basic food benefits from the first of the month of your new certification period ~~((after))~~ if we determine ~~((if))~~ you are eligible.

(a) ~~((If you do not reapply timely,))~~ Your benefits for the first month of your new certification period may be delayed if you do not reapply timely.

(b) You have until the end of the month following your certification period end date to complete an interview if required and provide any requested proof of your circumstances ~~((we requested))~~.

(c) We will not approve your recertification if you do not meet all requirements for verification by the end of the month following your certification end date~~((, your recertification will not be approved))~~.

(7) ~~(((If you turn in your application after your certification period ends,)))~~ We treat ~~((the))~~ your application as a new application for benefits if we receive it after your certification period ends. We start your basic food from the date ~~((you turned in))~~ we received the application after we determine if you are eligible.