



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: March 10, 2023

TIME: 10:58 AM

WSR 23-07-060

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 adopting amendments to WAC 388-444-0055, What are the penalties if I refuse or fail to meet basic food work requirements?" to more accurately align with federal regulations related to Basic Food disqualification, and clarify that a Basic Food sanction can be lifted effective the first of the following month when a client meets work requirements or becomes exempt from work requirements during a Basic Food sanction.

Citation of rules affected by this order:

New: None
 Repealed: None
 Amended: WAC 388-444-0055
 Suspended: None

Statutory authority for adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 23-03-049 on 01/10/2023 (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Federal statute:	New	___	Amended	___	Repealed	___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	<u>1</u>	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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:

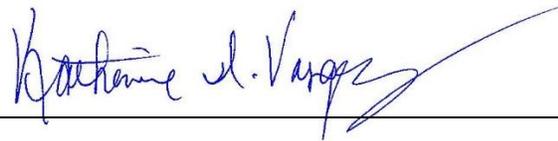
Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>1</u>	Repealed	___

Date Adopted: March 10, 2023

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-444-0055 What are the penalties if I refuse or fail to meet basic food work requirements? (1) If we register you for work you must meet the work requirements under WAC 388-444-0005 or 388-444-0030 unless you have good cause as defined in WAC 388-444-0050. If you do not follow these rules, you will become an ineligible assistance unit member as described under WAC 388-408-0035. The remaining members of the assistance unit continue to be eligible for basic food.

(2) If you do not meet basic food work requirements and we find that you did not have good cause, you cannot receive basic food for the following periods of time and until you meet program requirements:

- (a) For the first failure, one month;
- (b) For the second failure, three months; and
- (c) For the third or subsequent failure, six months.

(3) If you become exempt under WAC 388-444-0010 and are otherwise eligible, you may begin to receive basic food.

(4) If you do not comply with the work requirements of the following programs, you cannot receive basic food unless you meet one of the conditions described under WAC 388-444-0010 (~~except subsections (4) or (5)~~):

- (a) WorkFirst;
- (b) Unemployment compensation;
- (c) The refugee cash assistance program.

(5) Within (~~ten~~) 10 days after learning of your refusal to participate in your program, (~~the financial worker~~) we will send you a notice that your basic food benefits will end unless you comply with your program requirements.

(6) If you do not comply within (~~ten~~) 10 days, you will be issued a notice disqualifying you from receiving basic food until you comply with your program, or until you meet the work registration disqualification requirements in subsection (2) of this section.

(7) (~~After the penalty period in subsection (2) of this section is over, and you meet work requirements and you are otherwise eligible, you may receive basic food:~~

- ~~(a) If you are alone in the assistance unit and apply to reestablish eligibility; or~~
- ~~(b) If you are a member of an assistance unit, you may resume receiving basic food.~~

~~(8))~~ During the penalty period, if you begin to participate in (~~one~~) any of the programs listed in subsection (4)(a) through (c) (~~and that penalty is removed,~~) of this section or meet one of the conditions described under WAC 388-444-0010, the work registration disqualification also ends. If you are otherwise eligible, you may begin to receive basic food effective the first of the month following the change.

(8) After the penalty period in subsection (2) of this section is over, and you meet work requirements, and you are otherwise eligible, you may receive basic food:

- (a) If you are alone in the assistance unit and apply to reestablish eligibility; or
- (b) If you are a member of an assistance unit, you may resume receiving basic food.