



# EXPEDITED RULE MAKING

## CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON  
FILED

DATE: December 03, 2019

TIME: 5:09 PM

WSR 19-24-095

**Agency:** Department of Social & Health Services

**Title of rule and other identifying information:** (describe subject) The department is proposing to repeal chapter 388-22 WAC – Determining and verifying eligibility - definitions

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** This chapter has not been updated and is no longer needed. Necessary portions were adopted under different chapters.

**Reasons supporting proposal:** The department has determined that this section is outdated, no longer needed, and needs to be repealed.

**Statutory authority for adoption:** RCW 43.20A.075, RCW 34.05.353(2)(c), RCW 74.04.050, RCW 74.08.090

**Statute being implemented:** N/A

**Is rule necessary because of a:**

- |                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

**Name of proponent:** (person or organization) Department of Social & Health Services

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Katherine Vasquez	PO Box 45850, Olympia, WA 98504-5850	360-664-6097
Implementation:	Katherine Vasquez	PO Box 45850, Olympia, WA 98504-5850	360-664-6097
Enforcement:	Katherine Vasquez	PO Box 45850, Olympia, WA 98504-5850	360-664-6097

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**Expedited Adoption - Which of the following criteria was used by the agency to file this notice:**

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

**Expedited Repeal - Which of the following criteria was used by the agency to file notice:**

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

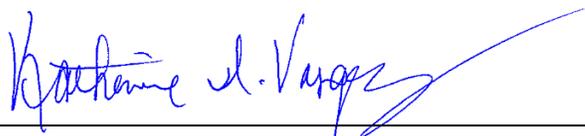
**Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4):** The department determined that this rule is outdated, inaccurate, has the potential to cause confusion, and is no longer needed

**NOTICE**

**THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO**

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Agency: Department of Social & Health Services  
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Other:

**AND RECEIVED BY** (date) February 4, 2020

<b>Date:</b> December 3, 2019	<b>Signature:</b> 
<b>Name:</b> Katherine I. Vasquez	
<b>Title:</b> DSHS Rules Coordinator	

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

Chapter 388-22 WAC – Determining and verifying eligibility – definitions