



EXPEDITED RULE MAKING

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

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STATE OF WASHINGTON
FILED

DATE: December 13, 2023

TIME: 4:18 PM

WSR 24-01-066

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

Title of rule and other identifying information: (describe subject) The department is proposing to amend WAC 388-436-0065 "What is the pandemic emergency assistance fund (PEAF)?"

Purpose of the proposal and its anticipated effects, including any changes in existing rules: These housekeeping amendments clarify the federal poverty level (FPL) year when considering PEAF eligibility.

Reasons supporting proposal: These amendments meet the criteria for expedited adoption as set forth in RCW 34.05.353, specifically subsection (1)(c): "The proposed rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect."

Statutory authority for adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.250

Statute being implemented: N/A

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

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

Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Sarah Garcia	PO Box 45470, Olympia WA 98504-5470	360-522-2214
Implementation:	Sarah Garcia	PO Box 45470, Olympia WA 98504-5470	360-522-2214
Enforcement:	Sarah Garcia	PO Box 45470, Olympia WA 98504-5470	360-522-2214

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

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): These amendments clarify language of a rule without changing its effect.

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 and Health Services

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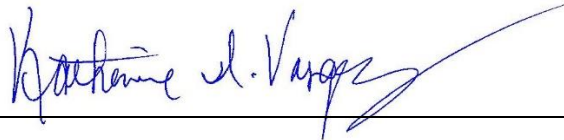
AND RECEIVED BY (date) 2/20/2024

Date: December 13, 2023

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-436-0065 What is the pandemic emergency assistance fund (PEAF)? (1) What is the pandemic emergency assistance fund (PEAF)?

The pandemic emergency assistance fund (PEAF) is administered by the department of social and health services and provides a one-time cash benefit to low income families with at least one qualifying child, to support them in meeting their basic needs as a result of the COVID-19 pandemic.

(2) The following definitions apply to PEAFF:

(a) "Household" as defined in WAC 388-408-0015 or WAC 388-408-0035.

(b) "Qualifying child" means a child as defined in WAC 388-404-0005.

(3) Who is eligible for the PEAFF?

Each child in your household may be eligible for PEAFF if your child meets all of the following:

(a) A qualifying child lives in your home and has not already received PEAFF;

(b) The household is active, eligible, and receiving TANF, SNAP, SFA, or FAP benefits in the month of issuance;

(c) The reported household income, as defined in chapter 388-450 WAC, at the time of issuance is at or below 75% of the 2022 federal poverty level;

(d) You reside in Washington state as required under WAC 388-468-0005.

(4) How do I apply for the pandemic emergency assistance fund?

(a) The department automatically reviews your eligibility for PEAFF during the month of issuance:

(b) When you apply for TANF, SFA, SNAP, or FAP; or

(c) You are an active household receiving TANF, SFA, SNAP, or FAP.

(5) What benefits will I receive if I am eligible for PEAFF?

(a) PEAFF is issued only once per qualifying child.

(b) The amount of the PEAFF benefit is the same for each qualifying child and is determined based on:

(i) The amount of available PEAFF funding; and

(ii) The number of qualifying children in the month of issuance.