



EXPEDITED RULE MAKING

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

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STATE OF WASHINGTON
FILED

DATE: January 23, 2024

TIME: 4:45 PM

WSR 24-03-155

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 388-437-0001, "Disaster food stamp program."

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The title of this rule and the rule itself refer to the "food stamp program." The current name of the program is the "supplemental nutrition assistance program." This amendment updates the wording to reflect current usage.

Reasons supporting proposal: These amendments meet the criteria for expedited adoption as set forth in RCW 34.05.353 (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, and 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 and Health Services

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Carolyn Horlor	PO Box 45470, Olympia WA 98504-5470	(360) 764-0676
Implementation:	Carolyn Horlor	PO Box 45470, Olympia WA 98504-5470	(360) 764-0676
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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 update outdated 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: DSHS

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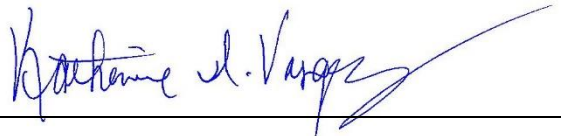
AND RECEIVED BY (date) March 26, 2024

Date: January 23, 2024

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



Chapter 388-437 WAC
EMERGENCY FOOD ASSISTANCE ((~~FOR FOOD STAMPS~~))

AMENDATORY SECTION (Amending WSR 05-23-028, filed 11/8/05, effective 12/9/05)

WAC 388-437-0001 Disaster ((~~food stamp~~)) supplemental nutrition assistance program. (1) In the event of a disaster, the department works with the United States Department of Agriculture, Food and Nutrition ((~~Services~~)) Service (FNS) to change some requirements for the Washington Basic Food program and help ensure that people in a disaster area have access to food. This is known as the disaster ((~~food stamp~~)) supplemental nutrition assistance program.

(2) If the President of the United States has declared a portion of the state as a federal disaster area, we ask FNS to allow use of the disaster ((~~food stamp~~)) supplemental nutrition assistance program for the areas impacted by the disaster. Both of the following conditions must be met:

- (a) People's normal access to buy food has been disrupted; and
- (b) These commercial channels have since been restored with reasonable access and sufficient food supplies as determined by FNS.

(3) The department will implement any disaster ((~~food stamp~~)) supplemental nutrition assistance program as approved by FNS.