



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Economic Services Administration
Post Office Box 45070, Olympia WA 98504-5070

February 18, 2020

Chief Clerk Bernard Dean
House of Representatives Chief Clerk's Office
P.O. Box 40600
Olympia, WA 98504-0600

RE: House Bill 1893, Providing assistance for postsecondary students, such as access to food or transportation, to help those students remain enrolled.

Dear Chief Clerk Dean:

Under section 7 of Second Substitute House Bill 1893 ([2019 c 407 § 7](#)), passed in the 2019 legislative session, the Department of Social and Health Services is required to provide written notice of the expiration date of section 3 of this act (2019 c 407 § 3) to affected parties, the Chief Clerk of the House of Representatives, the Secretary of the Senate, the Office of the Code Reviser, and others as deemed appropriate by the Department. Please accept this letter as notice that 2019 c 407 § 3, codified as RCW [43.20A.755](#), has expired as of January 1, 2020.

Prior to the expiration date, RCW 43.20A.755 required the Department to seek exemptions and waivers from the US Department of Agriculture's Food and Nutrition Service (FNS) to allow the use of Supplemental Nutrition Assistance Program (SNAP) benefits via electronic benefit transfer (EBT) cards at food retail establishments on college campuses.

On July 17, 2019, the Department submitted a formal waiver to FNS requesting to waive SNAP regulations at [7 CFR 278.1](#) (b) and (d) for on-campus food establishments. These sections of the Code of Federal Regulations define the requirements all SNAP certified retailers must meet to accept EBT benefits. On October 2, 2019, the Department received a letter from FNS denying this waiver request. FNS cited several reasons for the denial: an inability to waive statutory requirements, program integrity concerns, existing certification criteria provide healthful options and are not unduly burdensome, and current regulations allow adequate flexibilities to serve students.

DSHS is committed to exploring existing program flexibility and has formally submitted a request for a demonstration project allowing pilot college campuses to accept EBT benefits for food purchases without meeting current FNS retailer certification requirements. To date, the department has not received a response.

If you have any questions, please contact Babs Roberts at (360) 725-4888 or roberba@dshs.wa.gov.

Very truly yours,

David Stillman, Assistant Secretary
Economic Services Administration

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