

13930, (eff 4-24-24)

**Readopt with amendment He-W 604.04, effective 11-25-14 (Document #10729), to read as follows:**

He-W 604.04 Electronic Notification.

- (a) Notices of decision (NOD), as defined in He-W 601.05, may be accessed electronically by the casehead, as defined in He-W 601.02, if the casehead:
- (1) Chooses to access NODs electronically;
  - (2) Has an email account able to receive notifications from the department;
  - (3) Provides the department with an email address; and
  - (4) Activates a user account through the department's eligibility web portal.
- (b) If the casehead chooses to only access NODs electronically, no paper NODs shall be sent to the casehead via the United States Postal Service (USPS).
- (c) If the casehead chooses to only access NODs electronically, the casehead shall be responsible for the security and validity of the email account information provided to the department.
- (d) All information included in paper NODs, as defined in He-W 601.05, shall also be included in electronic NODs .
- (e) If the casehead prefers to reestablish paper NODs sent via the USPS and chooses not to use the department's eligibility web portal to make this change, the casehead shall submit a written request to the department and include the following information:
- (1) The casehead's printed name;
  - (2) The request to reestablish paper NODs sent via the USPS;
  - (3) The case number or recipient identification number, if known, assigned to the casehead; and
  - (4) The casehead's signature.
- (f) The date the department receives the completed request described in (e) above shall be the casehead's filing date for the request to reestablish paper NODs.
- (g) Paper NODs sent via the USPS shall be mailed to the casehead's mailing address within 10 days of the casehead's filing date described in (f) above.

**Readopt with amendment He-W 604.05, effective 11-25-14 (Document #10729), to read as follows:**

He-W 604.05 Electronic Account Access.

- (a) Electronic accounts that contain the casehead's electronic notices of decision (NOD), as defined in He-W 601.05, and other confidential case information shall be activated through the department's eligibility web portal by:

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- (1) The casehead;
  - (2) The casehead's guardian, conservator, or protective payee;
  - (3) An authorized representative (AR) or power of attorney chosen by the casehead; or
  - (4) An organization acting as the casehead's guardian, conservator, protective payee, AR, or power of attorney.
- (b) If an organization acting as the casehead's guardian, conservator, protective payee, AR, or power of attorney chooses to access a casehead's electronic account, the organization shall:
- (1) Obtain the casehead's permission to access the electronic account; and
  - (2) Register with the department by providing the following information:
    - a. The organization's name, phone number, both physical and mailing addresses, and email address;
    - b. The name of a designated administrator for the organization who is responsible for maintaining confidentiality for the entire organization;
    - c. A 4-digit pin, chosen by the administrator, for security purposes; and
    - d. The administrator's dated signature signifying an agreement to abide by confidentiality and safeguarding information policies, pursuant to RSA 167:31, RSA 167:32, and 45 CFR 205.50.
- (c) A casehead shall not have access to an electronic account through the department's eligibility web portal once the casehead has given permission to an organization to access the casehead's electronic account.
- (d) If the organization chooses to only access NODs electronically, with no paper NOD sent via the United States Postal Service (USPS), the organization shall be responsible for the security and validity of the email account information provided to the department.
- (e) All information included in a paper NODs, as defined in He-W 601.05, shall also be included in electronic NODs. .
- (f) If the organization prefers to reestablish paper NODs sent via the USPS and chooses not to use the department's eligibility web portal to make this change, the organization shall submit a written request to the department and include the following information:
- (1) The casehead's printed name;
  - (2) The request to reestablish paper NODs sent via the USPS;
  - (3) The case number or recipient identification number, if known, assigned to the casehead;
  - (4) The organization's name, phone number, both physical and mailing addresses, and email address; and
  - (5) The printed name and dated signature of the representative for the organization.

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**APPENDIX**

<b><u>Rule</u></b>	<b><u>Specific State or Federal Statute or Regulations the Rule Implements</u></b>
He-W 604.04	RSA 167:3-c, I; RSA 167:83, II(b); 45 CFR 206.10(a)(4)
He-W 604.05	RSA 167:3-c, I; RSA 167:31; RSA 167:32; RSA 167:83, II(b); 45 CFR 206.10(a)(4); 45 CFR 206.10(a)(1)(iii); 45 CFR 205.36; 45 CFR 205.50