

Notice Number 2022-212

Rule Number He-W 744.01 & He-W 744.02

<p>1. Agency Name & Address:</p> <p>Department of Health and Human Services Bureau of Family Assistance 129 Pleasant St., Brown Bldg. Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 161:4-a, IV; RSA 167:3-c, I</u></p> <p>3. Federal Authority: <u>7 CFR 273.10(c)(2)-(3)</u> <u>7 CFR 273.11(c)(3)</u></p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Repeal _____</p> <p>Readoption <u> X </u></p> <p>Readoption w/amendment <u> X </u></p>
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5. Short Title: **Determination of Monthly Supplemental Nutrition Assistance Program (SNAP) Income, Deductions, and Household Eligibility**

6. (a) Summary of what the rule says and of any proposed amendments:

The Department of Health and Human Services is proposing to readopt with amendment He-W 744.01 by:

- **Updating the heading for Part He-W 744 to read “Supplemental Nutrition Assistance Program (SNAP)” instead of “food stamp”; and**
- **Changing the section heading to “Converting Income” in place of “Averaging Income”.**

He-W 744.01 specifies that income shall be converted into a monthly amount and describes the method to convert weekly, biweekly, and semi-monthly income into a monthly amount.

The Department of Health and Human Services is also proposing to readopt He-W 744.02.

He-W 744.02 specifies that when there is an ineligible alien in a household, their income is counted after excluding a pro-rated share, and their resources are counted in full.

6. (b) Brief description of the groups affected:

Individuals who are recipients in the Supplemental Nutrition Assistance Program.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State or Federal Statutes or Regulations the Rule Implements
He-W 744.01	RSA 161:4-a, IV; RSA 167:3-c, I; 7 CFR 273.10(c)(2)-(3)
He-W 744.02	RSA 161:4-a, IV; RSA 167:3-c, I; 7 CFR 273.11(c)(3)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Nicole Valanzola** Title: **Rules Coordinator –
Administrative Rules Unit**
Address: **Department of Health and Human Services
Administrative Rules Unit
129 Pleasant Street, 2nd Floor
Concord, NH 03301** Phone #: **(603) 271-9640**
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TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

The proposed rules may be viewed and downloaded at:
<http://www.dhhs.nh.gov/oos/aru/comment.htm>

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Tuesday, January 10, 2023**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Tuesday, January 3, 2023 at 1:30 pm**

Place: [**DHHS Brown Bldg., Auditorium, 129 Pleasant St., Concord, NH**](#)

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 22:215, dated 11/7/2022

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost between the proposed rules and the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed amendment modifies an existing program or responsibility, but does not mandate any fees, duties, or expenditures on the political subdivisions of the state, and therefore does not violate Part I, Article 28-a of the N.H. Constitution.