

Notice Number 2023-64

Rule Number He-W 636.02, He-W 636.03 & He-W 636.09

<p>1. Agency Name & Address:</p> <p>Dept. 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 and RSA 167:83, II(c) & (l)</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p style="padding-left: 20px;">Adoption _____</p> <p style="padding-left: 20px;">Repeal _____</p> <p style="padding-left: 20px;">Readoption _____</p> <p style="padding-left: 20px;">Readoption w/amendment <u> X </u></p>
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5. Short Title: **Financial Assistance to Needy Families**

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 636.02 by spelling out the acronym “FANF” as “financial assistance to needy families” and updating a reference to He-W 606.28. He-W 636.02 specifies that all FANF applicants shall verify identity as a condition of eligibility.

The Department of Health and Human Services is proposing to readopt with amendment He-W 636.03 by adding online school as an option, changing “physical handicap” to “disability”, changing “district office” to “department”, and making minor edits for clarification and readability. He-W 636.03 on school attendance specifies the requirements for an individual to be classified as a student under FANF.

The Department of Health and Human Services is proposing to readopt with amendment He-W 636.09 by removing content that is not required in RSA 167:82, III(b) relative to good cause for failure to cooperate and making minor edits for clarification and readability. He-W 636.09 specifies what shall be considered good cause reasons for failure to cooperate with the child support requirements of FANF.

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

Individuals who are recipients of FANF.

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 636.02	RSA 167:79, III(i); 42 CFR 435.407; 42 CFR 435.913
He-W 636.03	RSA 167:6, V; RSA 167:78, XIV; RSA 167:80, IV(b); RSA 167:82, II(b)
He-W 636.09	RSA 161:4-a, V; RSA 167:79, III(c) & VI(a); RSA 167:82, III(b) & V; RSA 167:83, II(c) & (l)

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

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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: **Wednesday, April 19, 2023**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, April 12, 2023 at 1:00 pm**

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

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

FIS # 23:033, dated 2/24/2023

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

When compared to the existing rules, the proposed rules may increase benefits to state citizens by an indeterminable amount.

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:

The proposed rule may benefit state citizens by adding online education as one of the options to qualify as a student for purposes of the Financial Assistance to Needy Families (FANF) program.

C. To independently owned businesses:

None.

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

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