

**STATE OF RHODE ISLAND
DEPARTMENT OF HUMAN SERVICES**

TO: Interested Parties

FROM: DHS Office of Policy Development

DATE: November 15, 2016

SUBJECT: Proposed DHS Rule-Making

In accordance with the Chapter 42-35 of the Rhode Island General Laws, as amended (specifically Section 42-35-2.11 of the amended Administrative Procedures Act) and pursuant to the provisions of Chapters 40-6-8 of the General Laws of Rhode Island as amended, the Department of Human Services (DHS) hereby proposes to file a Direct Final Rule as contained in the Supplemental Nutrition Assistance Program rule, Sections 1000 through 1083. This rule is being amended in compliance with state and federal law and good practice. The proposed rule is as follows:

**SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)
Sections 1000 through 1083, Rules and Regulations**

This rule is being amended to reflect the following:

- Rules are being revised to reflect the 2017 federal cost-of-living adjustment. Proposed revisions were filed under emergency rule-making guidelines effective October 1, 2016. The cost-of-living adjustment includes the following changes:
 - the Standard Utility Allowance (SUA) has decreased from \$613 to \$605 due to a decrease in the cost of fuel and utilities as calculated by the annual Consumer Price Index (CPI);
 - the gross and net income eligibility standards have been increased as a result of the annual cost of living adjustment for household sizes 1 through 5 or 1 through 6, depending on the household's gross income limit; the maximum excess shelter deduction has increased from \$504 to \$517;
 - the maximum standard deduction for household sizes 1-3 has increased from \$155 to \$157 and remains unchanged for household sizes 4-6+.
- The Sections relating to the Treasury Offset Program (TOP) (1024.35.25.05.05 and 1024.35.25.05.10) have been updated to reflect the following:
 - The rule now allows a debtor 90 days from the date of the demand letter to request a fair hearing instead of 30 days. This aligns with policy already promulgated relating to claims collection and appeals rights.
 - To indicate that unless a claim is paid within 30 days (previously 60 days) of the date of the demand letter, the claim will be referred to TOP. This aligns with policy already promulgated relating to claims collection.
 - As a result of a change in federal law (The Digital Accountability and

Transparency Act of 2014), legally enforceable non-tax debts that are 120 days delinquent must be referred for offset to the Treasury Offset Program. The rule previously allowed 180 day delinquency period.

This proposed rule is accessible through the RI Secretary of State's Proposed Rules and Regulations Database Search (<http://www.sec.state.ri.us/ProposedRules/>) or available in hard copy upon request (401-462-2018). If no formal objection is received on or before December 15, 2016, the Department of Human Services will file the amendment without opportunity for public comment.). All written objections should be sent to Bethany Caputo, Office of Policy Development, Department of Human Services, Louis Pasteur Building, Bldg. 57, Howard Avenue, Cranston, RI 02920 or Bethany.caputo@dhs.ri.gov and must be received not later than 11:59 PM on Thursday, December 15, 2016.