



Jack Dalrymple, Governor
Maggie D. Anderson, Executive Director

August 15, 2016

Vonette Richter, Assistant Code Revisor
North Dakota Legislative Council
State Capitol
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-01.2
Temporary Assistance for Needy Families Program

Dear Ms. Richter:

Enclosed for filing in the office of the Legislative Council is the Notice of Intent to Amend Administrative Rules concerning the above proposed rules as required by N.D.C.C. section 28-32-10. Also enclosed is a copy of the proposed rules.

We have requested publication of an abbreviated newspaper publication notice once in each official county newspaper which will notify the public that an oral hearing on these rules will be held on September 21, 2016, beginning at 10 a.m. and continuing until 11:30 a.m. or until no further testimony is offered, whichever occurs first.

If you have any questions or concerns, please contact me at 328-2311. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Alm", is written over a horizontal line.

Jonathan Alm
Legal Advisory Unit

JA/jgl

cc: Michele Gee, Economic Assistance

Enclosures

NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 75-02-01.2
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

TAKE NOTICE that the North Dakota Department of Human Services will hold a public hearing to address proposed amendments to N.D. Admin. Code chapter 75-02-01.2 at 10 a.m. on Wednesday, September 21, 2016, in Bismarck, N.D. in Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed changes are as follows:

Section 75-02-01.2-02.2 is amended to include the additional monthly maintenances payment as established by the Department as Kinship Care financial assistance.

Section 75-02-01.2-06 is amended to remove redundant language.

Section 75-02-01.2-11 is repealed as it is no longer applicable.

Section 75-02-01.2-22 is amended to replace the dollar amount with a value established by the Department.

Section 75-02-01.2-26 is amended to clarify when a period of disqualification begins and to change the length of disqualification when a household transfers assets for eligibility purposes.

Section 75-02-01.2-28 is repealed as eligibility for aliens who arrived before August 22, 1996, is governed by Federal law.

Section 75-02-01.2-28.1 is repealed as eligibility for aliens who arrived on or after August 22, 1996, is governed by Federal law.

Section 75-02-01.2-44 is amended to update the Workforce Investment Act of 1998 to Workforce Innovation and Opportunity Act, to change income received from mainstream and green thumb programs to the Older Americans Act, to remove earnings of recipients employed by schools as the Elementary and Secondary Schools Act has been repealed, to ensure all cash contributions are countable unearned income regardless of the source, to remove outdated language, and to remove deeming of income from an alien parent as deeming does not apply to alien parents.

Section 75-02-01.2-45 is amended to remove all income types that are governed by Federal law.

Section 75-02-01.2-51 is amended to change the earned income employment incentive to thirteen-months and to remove the unavailability of the earned income disregard if the household fails to complete a monthly report.

Section 75-02-01.2-60 is amended to remove alien parent as deemed income does not apply to alien parents.

The proposed amendments are not anticipated to have an impact on the regulated community in excess of \$50,000. No taking of real property is involved in this rulemaking action.

Copies of the proposed rules are available for review at county social services offices and at human service centers. Copies of the proposed rules and the regulatory analysis relating to these rules may be requested by telephoning (701) 328-2311. Written or oral data, views, or arguments may be entered at the hearing or sent to: Rules Administrator, North Dakota Department of Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Dept. 325, Bismarck, ND 58505-0250. Written data, views, or arguments on the proposed rules must be received no later than 5:00 p.m. on Monday, October 3, 2016.

ATTENTION PERSONS WITH DISABILITIES: If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please contact the Department of Human Services at the above telephone number or address at least two weeks prior to the hearing.

Dated this 15th day of August, 2016.



Jack Dalrymple, Governor
Maggie D. Anderson, Executive Director

August 15, 2016

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-01.2
Temporary Assistance for Needy Families Program

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-02-01.2, Temporary Assistance for Needy Families Program. The department has adopted procedures to assure public input into the formulation of the rules prior to adoption.

In conformity with those procedures, we are providing you with a copy of the proposed rules and are requesting that you provide any written data, views, or arguments no later than 5:00 p.m. on October 3, 2016.

The department has scheduled an oral hearing for September 21, 2016. Further information concerning the public hearing is included in the attached notice of proposed rulemaking and public hearing.

Your participation is welcomed, as are your suggestions. Please send all written data, views, or arguments to: Rules Administrator, Department of Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Bismarck, ND 58505-0250.

Sincerely,


Maggie D. Anderson,
Executive Director

MDA/jgl

Enclosures

cc: Vonette Richter, Legislative Council
Michele Gee, Economic Assistance