



AUG 16 2013
Legal Advisory Unit

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Jack Dalrymple, Governor
Maggie D. Anderson, Interim Executive Director

August 15, 2013

Mr. John Walstad, 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 Mr. Walstad:

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 20, 2013, beginning at 3:30 p.m. and continuing until 5:00 p.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 blue ink that reads "Julie Leer". The signature is fluid and cursive.

Julie Leer
Legal Advisory Unit

JL/rs

Cc: Brenda Peterson, TANF

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 chapters 75-02-01.2 at 3:30 p.m. on Friday, September 20, 2013, in Bismarck, N.D. in Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed amendments to N.D. Admin. Code chapters 75-02-01.2, Temporary Assistance for Needy Families Program, are to clean up outdated language and to reflect changes in state and federal law.

The proposed changes are as follows:

Section 75-02-01.2-01 is amended to remove unnecessary definitions and to correct a defined term.

Section 75-02-01.2-18 is amended to clarify the expectations for when an incapacitated parent returns to work.

Section 75-02-01.2-22 is amended to reflect federal law requirements for when federal income tax credits and earned income tax credits are exempt.

Section 75-02-01.2-34 is amended to clarify language and to create consistency.

Section 75-02-01.2-50 is amended to change how self-employment income is determined to more accurately reflect a household's countable income.

Section 75-02-01.2-68 is amended to create efficiency in administering special item of need payments.

Section 75-02-01.2-68.1 is amended to create efficiency in administering special item of need payments.

Section 75-02-01.2-72 is amended to update the requirements for intentional program violations to reflect changes in federal law and to clarify how an intentional program violation disqualification period is determined when it is not otherwise specifically addressed.

Section 75-02-01.2-72.1 is amended to address changes to drug felony disqualifications made in 2013 House Bill No. 1176.

Section 75-02-01.2-73 is amended to create efficiency in administering special item of need payments.

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, September 30, 2013.

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, 2013.



Jack Dalrymple, Governor
Maggie D. Anderson, Interim Executive Director

August 15, 2013

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 September 30, 2013.

The department has scheduled an oral hearing for September 20, 2013. 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/rs

Attachments

Cc: John Walstad, Legislative Council
Brenda Peterson, TANF