

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, following is a concise explanatory statement:

AGENCY: Rhode Island Department of Human Services

DIVISION: Individual and Family Support Programs

RULE IDENTIFIER: 218-RICR-20-00-5

RULE TITLE: Supplemental Security Income and State Supplemental Payment Rules and Regulations

REASON FOR RULEMAKING: The Social Security Administration announced an increase to the 2020 benefits equal to 1.6 percent. This 1.6 percent is the cost-of-living adjustment (COLA) which is tied to the Consumer Price Index as determined by the U.S. Department of Labor's Bureau of Labor Statistics. The Supplemental Security Income and State Supplemental Payment Rules and Regulations have been proposed as a Direct Final to reflect the 1.6 percent COLA, effective January 1, 2020:

- 5.6 - updated and amended federal SSA cost of living increases effective January 1, 2020

The following technical changes were made to the Direct Final rule and do not affect the content of the rule:

- 5.11(B)(2) - added Category F living arrangement;
- 5.2 (B)(2a,b) - further redefined Category D and F;
- 5.2 (B)(3)(c) - included State optional payment amounts for Categories D and F;
- 5.3 (B)(1) - added DHS to work in consultation with EOHHS;
- removed outdated disability review process;
- 5.3 (B)(3) - clarified provisions within the benefit notice and the use of electronic data sources;
- 5.3 (D)(2) - outlined changes in circumstances that could affect eligibility;
- 5.5 - added R.I. Gen. Law citations §§ 40-6-27.2 and 40-8.13-12 which outline provisions of the State subsidy to individuals

- residing in assisted living residences; and amended reference citations.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE: N/A

TESTIMONY AND COMMENTS: Comments have been received on this Proposed Final Amendment concerning a Part and Section of the rule that is not currently being proposed as required by the COLA increase. The Department will proceed with the current Direct Final to implement the 1.6 percent COLA effective January 1, 2020 and will review and respond to the received comments at a later date.

CHANGE TO TEXT OF THE RULE: None

REGULATORY ANALYSIS: N/A