

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF HUMAN SERVICES

Title of Rule: Supplemental Nutrition Assistance Program (218-RICR-20-00-1)

Rule Identifier: 218-RICR-20-00-1

Rulemaking Action: Direct Final Amendment

Important Dates:

Date of Public Notice: November 15, 2023

End of Public Comment: December 15, 2023

Rulemaking Authority:

RIGL 40-6-8

Summary of Rulemaking Action:

The regulatory changes proposed in this filing are identical to the regulatory language currently in effect as of 10/01/2023. The effective version was originally noticed for public comment on 08/31/2023. During that public comment period, a technical error within the RICR system may have prevented comments submitted through RICR's attachment field from being received by the agency. Any comments submitted directly through RICR's text box option (with no attachments) or submitted directly to the agency were processed successfully. As a result of the technical error, the agency is repromulgating the regulatory changes (effective as of 10/01/2023 to ensure that the public has full access to submit public comments as originally intended. The regulatory language included in this notice redlines changes made in the most recent promulgation. The agency is noticing these changes for additional public comment.

To comply with and implement Federally mandated increases to the Cost-of-Living Adjustments (COLA) for recipients of the Supplemental Nutrition Assistance Program (SNAP) program. Other amendments include the Federally mandated implementation of modified Able-Bodied Adults Without Dependents (ABAWD) time limit exceptions per FNS under the Fiscal Responsibility Act 2023, and implementation of the Excessive Replacement Card Notice per FNS policy (276.6b.6). Lastly, a change to gender-neutral pronoun throughout the regulation to be more inclusive.

Amendments include: The modified ABAWD exemptions per FNS under the Fiscal Responsibility Act 2023, at 1.11.9; the FY 2024 COLA Adjustments at 1.5.7 and 1.15; the addition of the Excessive Replacement Card Notice at 1.16 per FNS policy 274.6.b.6; and the inclusion of gender-neutral pronouns.

The Agency does not expect this filing to be controversial and therefore, a public hearing will not be held.

Additional Information and Public Comments:

If no formal objection is received on or before December 15, 2023, the Department of Human Services will file the Amendment and the Final Rule will take effect on this date.

Objections should be addressed to:

Karen Vartebedian
Department of Human Services
Hazard Bldg. #74
41 West Rd. 1st Floor
Cranston, RI 02920
dhs.policyfeedback@dhs.ri.gov

Regulatory Analysis Summary and Supporting Documentation:

To meet the needs of individuals and families experiencing food insecurity, benefit amounts and deductions have increased to reflect recent changes in cost of living due to inflation. The addition of the new exception definitions to the ABAWD time limit under the Fiscal Responsibility Act of 2023 recognizes the barriers facing homeless, veterans, and extended foster care individuals and exempts that population from ABAWD requirements. The change to the EBT policy eliminates the requirement of contacting DHS staff prior to the 5th card replacement, so there will be no withholding of the 5th or more card.

For full regulatory analysis or supporting documentation contact the agency staff person listed above.