CABINET FOR HEALTH AND FAMILY SERVICES
Department for Community Based Services
Division of Family Support
(Amendment)

921 KAR 2:016. Standards of~~[for]~~ need and amount for the Kentucky Transitional Assistance Program (KTAP)~~[(K-TAP)]~~.

RELATES TO: KRS 205.200, 205.210, 205.2001, 205.211, 45 C.F.R. 233.20(a)(13), Parts 260-265, 400.66(d), 8 U.S.C. 1183a, 20 U.S.C. 1088(b)(1), 2302(3), (13), 25 U.S.C. 459, 1261, 1401, 26 U.S.C. 6409, 29 U.S.C. 723(a)(5), 2801, 2931(a)(2), 38 U.S.C. 1833, 42 U.S.C. 7(xviii), (D)(4), 1381-1384, 1771, 1775, 3001, 4950-5084, 8621, 10602(c)

STATUTORY AUTHORITY: KRS 194A.050(1), 205.200(2), 205.210(1), 42 U.S.C. 601-619

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.050(1) requires the secretary to promulgate all administrative regulations authorized by applicable state laws necessary to operate the programs and fulfill the responsibilities vested in the cabinet or to qualify for the receipt of federal funds and necessary to cooperate with other state and federal agencies for the proper administration of the cabinet and its programs. KRS 205.200(2) requires the cabinet to prescribe, by administrative regulation, the conditions of eligibility for public assistance, in conformity with the Social Security Act, 42 U.S.C. 601 to 619 and federal regulations. KRS 205.200(2) and 205.210(1) require that the secretary establish the standards of need and amount of assistance for the Kentucky Transitional Assistance Program (KTAP)~~[(K-TAP)]~~, the block grant program funded by 42 U.S.C. 601 to 619. This administrative regulation sets forth the standards of need for and the amount of a Kentucky Transitional Assistance Program payment.

Section 1. Definitions.

(1) "Assistance" is defined by 45 C.F.R. 260.31.

(2) "Benefit group" means a group composed of one (1) or more children and may include as specified relative a person pursuant to 921 KAR 2:006, Section 6~~[11]~~.

(3) "Change in a circumstance" means a change in income or dependent care expense affecting the ongoing KTAP~~[K-TAP]~~ payment that includes:

(a) Beginning or ending employment;

(b) Change in an employer or obtaining additional employment;

(c) Increase or decrease in the number of work hours;

(d) Increase or decrease in the rate of pay;

(e) Increase or decrease in the dependent care expense due to a change in:

1. Provider;
2. Number of hours of care;
3. Number of individuals for whom care is given; or
4. Amount charged; or

(f) Change in farm cropping arrangement or type of self-employment activity.

(4) "Claimant" means the individual responsible for the repayment of an overpayment.

(5) "Countable income" means income that remains after excluded income and appropriate deductions are removed from gross income.

(6) "Deduction" means an amount subtracted from gross income to determine countable income.

(7) "Electronic benefit transfer" or "EBT" means a computer-based electronic benefit transfer system in which an eligible household's benefit authorization is received from a central computer through a point of sale terminal or automated transfer machine.

(8) [~~"Employed" means a person performs a physical or mental activity in exchange for direct monetary compensation.~~]

[~~(9)~~] "Excluded income" means income that is received but not counted in the gross income test.

(9) [~~(10)~~] "Full-time employment" means employment of thirty (30) hours per week or 130 hours per month or more.

(10) [~~(11)~~] "Full-time school attendance" means a workload of at least:

(a) The number of hours required by the individual program for participation in:

1. An adult basic education program;
2. A general educational development program; or
3. A literacy program;

(b) The number of hours required by the individual program for participation in a college or university; or

(c) The number of hours required by the individual high school or vocational school to fulfill the high school or vocational school's definition of full time.

(11) [~~(12)~~] "Gross income limitation standard" means 185 percent of the assistance standard, as set forth in Section 9 of this administrative regulation.

(12) [~~(13)~~] "Kentucky Transitional Assistance Program" or "KTAP"[~~"K-TAP"~~] means the program established in 921 KAR 2:006[~~a money payment program for a child who is deprived of parental support or care pursuant to 921 KAR 2:006, Section 1~~].

(13) [~~(14)~~] "Kentucky Works Program (KWP)" means the program established in 921 KAR 2:370[~~a program~~] that assists a:

(a) Recipient of KTAP[~~K-TAP~~] in obtaining education, training, experience, and employment[~~necessary to leave public assistance~~]; or

(b) Former KTAP[~~K-TAP~~] recipient with job retention services[~~service~~].

(14) [~~(15)~~] "Lump sum income" means income that does not:

(a) Occur on a regular basis; or

(b) Represent accumulated monthly income received in a single sum.

(15) [~~(16)~~] [~~"Minor" means a person who is under the age of eighteen (18).~~]

[~~(17)~~] "Minor parent" means an individual who:

(a) Has not attained eighteen (18) years of age;

(b) Is not married or is married and not living with the spouse; and

(c) Has a minor child in the applicant's or recipient's care.

(16) [~~(18)~~] "Part-time employment" means employment of:

(a) Less than thirty (30) hours per week; or

(b) Less than 130 hours per month.

(17) [~~(19)~~] "Part-time school attendance" means a workload that is less than full-time school attendance as determined by the educational institution.

(18) [~~(20)~~] "Penalized individual" means a person who is required to be included in the benefit group but fails to fulfill an eligibility requirement, causing a reduction in benefits of the benefit group. If otherwise eligible, a penalized individual remains a member of the benefit group.

(19) [~~(21)~~] "Recoupment" means recovery of an overpayment of an assistance payment.

(20) [~~(22)~~] "Sanctioned individual" means a person who is required to be included in the benefit group, but who is excluded from the benefit group due to failure to fulfill an eligibility requirement.

(21) [~~(23)~~] "Self-employment income" means income from a business enterprise if taxes are not withheld prior to receipt of the income by the individual.

(22) [~~(24)~~] "Supplemental security income" or "SSI" means a monthly cash payment made pursuant to 42 U.S.C. 1381 to 1384 to the aged, blind, or persons with a disability[~~and disabled~~].

(23) ~~[(25)]~~ "Unavailable" means that the income is not accessible to the KTAP~~[K-TAP]~~ benefit group for use toward basic food, clothing, shelter, or~~[and]~~ utilities.

(24) ~~[(26)]~~ "Workforce Innovation and Opportunity~~[Investment]~~ Act" or "WIOA" ~~["WIA"]~~ means a program to assist adults, dislocated workers, and youth with entering, retraining, and advancing within employment~~[, as established by 29 U.S.C. 2801]~~.

(25) ~~[(27)]~~ "Work expense standard deduction" means a deduction from earned income intended to cover mandatory pay check deductions, union dues, and tools.

Section 2. Technical Eligibility.

(1) A benefit group shall include:

(a) A dependent child;

(b) A child's parent living in the home with the dependent child who is:

1. Eligible for KTAP~~[K-TAP]~~; or

2. Ineligible for KTAP~~[K-TAP]~~ due to benefit time limitations pursuant to 921 KAR 2:006, Section 16~~[21]~~;

(c) An eligible sibling living in the home with a dependent child, except for a sibling who is an applicant or recipient of the Kinship Care Program pursuant to 922 KAR 1:130; or

(d) An eligible child who is:

1. In full-time school attendance or part-time school attendance; and

2.

a. Eighteen ~~[Sixteen (16) through eighteen]~~ (18) years of age; or

b. A minor parent.

(2) If the KTAP~~[K-TAP]~~ benefits to a household would be greater by excluding an otherwise eligible child related by subsidized adoption to the other members, the child shall not be included in the benefit group.

(3) If a dependent child's parent is a minor living in the home with an eligible parent, the minor's parent shall also be included in the benefit group if the minor's parent applied for assistance.

(4) A ~~[An incapacitated or unemployed]~~ natural or adoptive parent of the child who is living in the home shall be included as second parent if the technical eligibility factors of 921 KAR 2:006 are met.

Section 3. Resource Limitations.

(1) A liquid asset shall be considered a countable resource if it is:

(a) Available to the benefit group; and

(b) Owned in whole or in part by:

1. An applicant or recipient;

2. A sanctioned or penalized individual; or

3. The parent of a dependent child, even if the parent is not an applicant or recipient, if the dependent child is living in the home of the parent.

(2) The total amount of resources reserved by a benefit group shall not be in excess of $10,000~~[$2,000]~~ in liquid assets, excluding an asset listed in subsection (3) of this section.

(3) Excluded resources.

(a) Resources from the following individuals shall be excluded from consideration:

1. A recipient of SSI or the state supplementation program living in the home;

2. A child excluded from the KTAP~~[K-TAP]~~ grant; or

3. An individual not receiving assistance but living in the home including:

a. The stepparent;

b. The parent or legal guardian of a minor parent;

c. The spouse of a nonresponsible specified relative; or

d. The spouse of a minor dependent child.

(b) The following resources shall not be included in the ~~[$2,000]~~resource limit established in subsection (2) of this section:

1. Proceeds (sale price less indebtedness) from the sale of a home, including initial or down payment from land contract sale, for six (6) months if client plans to invest in another home;
2. Funds in an individual retirement account, retirement or deferred compensation account during the period of unavailability;
3. An excluded income payment, pursuant to Section 5 of this administrative regulation;
4. Principal and accrued interest of an irrevocable trust during a period of unavailability;
5. Prepaid burial funds;
6. Cash surrender value of all burial insurance policies per family member;
7. Principal of a verified loan;
8. Up to $12,000 to Aleutians and $20,000 to an individual of Japanese ancestry for payment made by the United States Government to compensate for hardship experienced during World War II;
9. A payment made from the Agent Orange Settlement Fund issued by Aetna Life and Casualty to a veteran or veteran's survivor;
10.
   a. Any federal tax refund or advance payment of a refundable federal tax credit for a period of twelve (12) months from receipt in accordance with 26 U.S.C. 6409; or
   b. An ~~[After December 31, 2012,]~~ earned income tax credit payment in the month of receipt and the following month;
11. A payment received from the Radiation Exposure Compensation Trust Fund;
12. A nonrecurring lump sum SSI retroactive payment that is made to a KTAP~~[K-TAP]~~ recipient who is not ongoing eligible for SSI, in the month paid and the next following month;
13. Up to a total of $15,000~~[$5,000]~~ in individual development accounts, excluding interest accruing, pursuant to subsection (7) of this section;~~[and]~~
14. A payment received from the National Tobacco Growers Settlement Trust;
15. Savings in a 529 college savings plan account;
16. Savings in an ABLE account, pursuant to KRS 205.200(1); and
17. A payment received from the Transitional Compensation for Abused Dependents Program.

(4) Disposition of resources.

(a) An applicant or recipient shall not have transferred or otherwise disposed of a liquid asset in order to qualify for assistance.

(b) The household's application shall be denied, or assistance discontinued if:

1. The transfer was made expressly for the purpose of qualifying for assistance; and
2. The amount of the transfer, when added to total resources, exceeds the resource limit.

(c) The time period of ineligibility shall be based on the resulting amount of excess resources and begins with the month of transfer.

(d)

1. If the amount of excess transferred resources does not exceed $2,500~~[$500]~~, the period of ineligibility shall be one (1) month.
2. The period of ineligibility shall be increased one (1) month for every $2,500~~[$500]~~ increment up to a maximum of twenty-four (24) months.

(5) Lifetime care agreement.

(a) The existence of a valid agreement between the applicant or recipient and another individual or organization that the applicant or recipient surrendered resources in exchange for lifetime care shall make the case ineligible.

(b) The agreement shall be considered invalid if the individual or organization with whom the agreement was made provides a written statement that the resources have been exhausted.

(6) Resources held jointly by more than one (1) person.

(a)

1. For a bank account requiring one (1) signature for withdrawal, the total balance of the account shall be considered available to the KTAP~~[K-TAP]~~ applicant or recipient, unless the other owner is a recipient of SSI.

2. If the other owner receives SSI, the:

a. Balance shall be divided evenly by the number of owners; and

b. KTAP ~~[K-TAP]~~ applicant or recipient's share shall be considered available.

(b) For a bank account that requires more than one (1) signature for withdrawal, the KTAP~~[K-TAP]~~ applicant or recipient's share shall be determined by obtaining a written statement from the other owners as to the division.

(c) If there is no predetermined allocation of shares from a business enterprise, the applicant or recipient's available share shall be determined by dividing the value of the business enterprise by the number of owners.

(d) If a resource is held jointly, other than a resource pursuant to paragraphs (a) through (c) of this subsection, the applicant or recipient's share shall be determined by dividing the value of the resource by the number of owners.

(e) Rebuttal of ownership shall be accomplished if the applicant or recipient asserts no contribution to or benefits from a jointly held resource and provides:

1. A written statement regarding ownership, who may deposit and withdraw;

2. A written statement from each of the other owners that corroborates the applicant's or recipient's statement, unless the account holder is a minor or is incompetent; and

3. Verification that the applicant's or recipient's name has been removed from the resource.

(7)

(a) To be considered an exempt resource, the individual development account shall have been:

1. Established on or after May 1, 1997; and

2. Funded through periodic contributions by a member of the benefit group using funds derived from earned income that was earned after May 1, 1997, for a qualified purpose.

(b) A qualified purpose to establish an individual development account shall be for:

1. Postsecondary educational expense that shall include:

a. Tuition and fees required for the enrollment or attendance of a student at an eligible educational institution;

b. Fees, books, supplies, and equipment required for a course of instruction at an eligible educational institution; and

c. An eligible educational institution that shall be an:

(i) Institution pursuant to 20 U.S.C. 1088(b)(1); or

(ii) Area vocational education school pursuant to 20 U.S.C. 2302(3) or (13);

2. First home purchase that includes:

a. Costs of acquiring, constructing, or reconstructing a residence; and

b. Usual or reasonable settlement, financing, or other closing costs;

3. A business capitalization expenditure for a business that does not contravene a law or public policy, as determined by the cabinet, pursuant to a qualified plan

which shall:

a. Include capital, plant, equipment, working capital, and inventory expenses;

b. Be approved by a financial institution; and

c. Include a description of a service or a good to be sold, a marketing plan, and projected financial statement. An applicant may use the assistance of an experienced entrepreneurial advisor if needed; or

4. Other purpose allowed by a federal regulation or clarification.

(c) Funds held in an individual development account shall not be withdrawn except for one (1) or more of the qualified purposes pursuant to paragraph (b) of this subsection.

(d) To be considered an exempt resource, an individual development account shall be matched by funds from a:

1. Nonprofit organization; or

2. State or local government agency, funding permitted, acting in cooperation with an organization pursuant to subparagraph 1 of this paragraph.

Section 4. Income Limitations. In determining eligibility for KTAP~~[K-TAP]~~, the following shall apply:

(1) Gross income test:

(a) The total gross non-KTAP~~[K-TAP]~~ income shall not exceed the gross income limitation standard and shall include:

1. Income of the benefit group;

2. Income of a parent who does not receive SSI or state supplementation pursuant to 921 KAR 2:015;

3. Income of a sanctioned or penalized individual; and

4. An amount deemed available from:

a. The parent of a minor parent living in the home with the benefit group;

b. A stepparent living in the home; or

c. An immigrant's~~[alien's]~~ sponsor and sponsor's spouse if living with the sponsor;

(b) Excluded income types pursuant to Section 5(1) of this administrative regulation shall apply; and

(c) If total gross income exceeds the gross income limitation standard, the benefit group shall be ineligible.

(2) Benefit calculation:

(a) If the benefit group meets the criteria pursuant to subsection (1) of this section, benefits shall be determined by subtracting excluded income and applicable deductions pursuant to Section 5(1), (2), and (3) of this administrative regulation;

(b) If the benefit group's income, after subtracting excluded income and applicable deductions, exceeds the standard of need for the appropriate benefit group size pursuant to Section 9 of this administrative regulation, the benefit group shall be ineligible; and

(c) Amount of assistance shall be determined prospectively.

(3) Ineligibility period:

(a) A period of ineligibility shall be established for a benefit group whose income in the month of application or during a month the assistance is paid exceeds a limit pursuant to subsection (2) of this section due to receipt of lump sum income;

(b) The ineligibility period shall be:

1. The number of months that equals the quotient of the division of total countable income by the standard of need pursuant to Section 9 of this administrative regulation for the appropriate benefit group size; and

2. Effective with the month of receipt of the nonrecurring lump sum amount; and

(c) The ineligibility period shall be recalculated if:

1. The standard of need pursuant to Section 9 of this administrative regulation increases and the amount of grant the benefit group would have received also changes;

2. Income, that caused the calculation of the ineligibility period, has become unavailable for a reason that was beyond the control of the benefit group;

3. The benefit group incurs and pays a necessary medical expense not reimbursable by a third party;

4. An individual, who is required to be a member of the benefit group, joins the KTAP[~~K-TAP~~] household during an established ineligibility period; or

5. The benefit group reapplies during an established ineligibility period and the cabinet determines that policy has changed to exclude the criteria originally used to establish the ineligibility period.

Section 5. Excluded Income and Deductions.

(1) Gross non-KTAP[~~K-TAP~~] income received or anticipated to be received shall be considered with the application of excluded income and deduction policy:

(a) By the:

1. Benefit group;
2. Sanctioned or penalized individual;
3. Natural parent;
4. Spouse of a dependent child;
5. Parent of a minor parent living in the home with the benefit group; or
6. Stepparent living in the home; and

(b) Pursuant to subsections (2) to (4) of this section.

(2) Gross income test. An income listed in this subsection shall be excluded:

(a) A deduction applicable to stepparent income, income of the spouse of a minor dependent child, or income of the parent of a minor parent in the home with the benefit group, pursuant to Section 7 of this administrative regulation;

(b) A deduction applicable to an immigrant[~~alien~~] sponsor's income, pursuant to Section 8 of this administrative regulation;

(c) A deduction applicable to self-employment income;

(d) Allowances, earnings, and payments received under WIOA[~~WIA~~] programs in accordance with 29 U.S.C. 2931(a)(2);

(e) Value of United States Department of Agriculture program benefits including:

1. Donated food;
2. Supplemental food assistance received pursuant to 42 U.S.C. 1771;
3. Special food service program for a child pursuant to 42 U.S.C. 1775;
4. Nutrition program for the elderly pursuant to 42 U.S.C. 3001; and
5. The monthly Supplemental Nutrition Assistance Program (SNAP) allotment;

(f) Reimbursement for transportation in performance of an employment duty, if identifiable;

(g) The value of Kentucky Works Program supportive services payment pursuant to 921 KAR 2:017;

(h) Nonemergency medical transportation payment;

(i) Payment from complementary program if no duplication exists between the other assistance and the assistance provided by KTAP[~~the K-TAP program~~];

(j) Educational grant, loan, scholarship, [~~and~~]work study income, or other type of financial assistance for education pursuant to KRS 205.200(8);

(k) Highway relocation assistance;

(l) Urban renewal assistance;

(m) Federal disaster assistance and state disaster grant;

(n) Home produce utilized for household consumption;

(o) Housing subsidy received from federal, state or local governments;
(p) Funds distributed to a member of certain Native American~~[Indian]~~ tribes by the federal government pursuant to 25 U.S.C. 459, 1261 and 1401;
(q) Funds distributed per capita to or held in trust for a member of a Native American~~[an Indian]~~ tribe by the federal government pursuant to 25 U.S.C. 459, 1261, and 1401;
(r) Payment for supporting services or reimbursement of out-of-pocket expense made to an individual volunteering as a:
1. Senior health aide; or
2. Member of the:
a. Service Corps of Retired Executives; or
b. Active Corps of Executives;
(s) Payment made to an individual from a program pursuant to 42 U.S.C. 4950 to 5084 if less than the minimum wage under state or federal law, whichever is greater including:
1. Volunteers in Service to America (VISTA);
2. Foster Grandparents;
3. Retired and Senior Volunteer Program; or
4. Senior Companion;
(t) Payment from the cabinet for:
1. Child foster care; or
2. Adult foster care;
(u) Energy assistance payment made under:
1. The Low Income Home Energy Assistance Program (LIHEAP) pursuant to 42 U.S.C. 8621; or
2. Other energy assistance payment made to an energy provider or provided in-kind;
(v) The first fifty (50) dollars of child support payment;
(w) Earnings of an individual attending school who is age nineteen (19) or under;
(x) Earnings of a dependent child under eighteen (18) who is a high school graduate;
(y) Nonrecurring monetary gifts totaling 100~~[thirty (30)]~~ dollars or less per month per individual;
(z) The principal of a verified loan;
(aa) Up to $12,000 to Aleuts and $20,000 to an individual of Japanese ancestry for payment made by the United States Government to compensate for a hardship experienced during World War II;
(bb) Income of an individual receiving SSI, including monthly SSI benefits and any retrospective SSI benefits;
(cc) The essential person's portion of the SSI check;
(dd) Income of an individual receiving mandatory or optional state supplementary payment pursuant to 921 KAR 2:015;
(ee)
1. Any federal tax refund or advance payment of a refundable federal tax credit; or
2. The ~~[After December 31, 2012, the]~~ advance payment or refund of earned income tax credit;
(ff) Payment made directly to a third party on behalf of the applicant or recipient by a non-responsible~~[nonresponsible]~~ person;
(gg) Interest and dividend income unless derived from a corporate business;
(hh) In-kind income;
(ii) Income of a technically ineligible child;
(jj) Payment made from the Agent Orange Settlement Fund;
(kk) KTAP ~~[K-TAP]~~ payment including back payment;

(ll) Income of legal guardian of a minor parent, unless the guardian meets the degree of relationship pursuant to 921 KAR 2:006, Section 6[11];
(mm) Payment made from the Radiation Exposure Compensation Trust Fund;
(nn) Up to $2,000 per year of income received by individual Native Americans[Indians] denied from a lease or other use of individually-owned trust or restricted lands;
(oo) Payment made to an individual because of the individual's status as a victim of Nazi persecution;
(pp) Income received from temporary employment from the United States Department of Commerce, Bureau of the Census;
(qq) A payment received from the National Tobacco Growers Settlement Trust;
(rr) A payment received from a crime victim compensation program according to the Antiterrorism and Effective Death Penalty Act of 1996 pursuant to 42 U.S.C. 10602(c);
(ss) A payment received from the Kinship Care Program, pursuant to 922 KAR 1:130, including back payment;
(tt) A payment made to children of Vietnam veterans and certain other veterans, pursuant to 38 U.S.C. 1833;
(uu) A discount or subsidy provided to Medicare beneficiaries pursuant to Section 1860D-31(g)(6) of the Social Security Act, 42 U.S.C. 7(xviii) and (D)(4);
(vv) Any cash grant received by the applicant under the Department of State or Department of Justice Reception and Placement Programs pursuant to 45 C.F.R. 400.66(d);[and]
(ww) Reimbursement payment for a vocational rehabilitation individual participating in Preparing Adults for Competitive Employment pursuant to 29 U.S.C. 723(a)(5); and
(xx) A payment received from the Transitional Compensation for Abused Dependents Program.

(3) Benefit calculation. Excluded income pursuant to subsection (2) of this section and an applicable deduction listed in this subsection shall be applied as follows:
(a) Work expense standard deduction of 175[ninety (90)] dollars for full-time and part-time employment;
(b) If the caregiver is not the parent, legal guardian, or a member of the benefit group, the dependent care disregard shall:
1. Be allowed as a work expense for:
a. An able-[]bodied child age thirteen (13) or over and not under court supervision;
b. An incapacitated adult living in the home and receiving KTAP[K-TAP];
c. A KTAP[K-TAP] case that is otherwise ineligible for KTAP[K-TAP] without the benefit of the disregard for child care, at the option of the recipient; or
d. The month of application for KTAP[K-TAP] benefits; and
2. Not exceed:
a. $175 per month per individual for full-time employment;
b. $150 per month per individual for part-time employment; or
c. $200 per month per individual for child under age two (2);
(c) Child support payment received and retained until notification of eligibility for KTAP[K-TAP] is received;
(d) Child support payment assigned and actually forwarded or paid to the cabinet;
(e) For six (6) months, the first fifty (50) percent [First thirty (30) dollars and one-third (1/3) of the remainder] of earned income not already deducted for each member of the benefit group.
(f) [calculated as follows:]

~~[1.] [The one-third (1/3) portion of this deduction shall be applied to each member's earned income for four (4) months;]~~

~~[2.] [The thirty (30) dollar portion of this deduction shall be applied concurrently with the one-third (1/3) deduction and for an additional eight (8) consecutive months following the expiration of the concurrent period; and]~~

~~[3.]~~ Until an~~[the]~~ individual has earnings, reported timely, from new employment, the deductions shall not be available to the individual after expiration of the time limits; and

(g) ~~[(f)]~~ For new employment, or increased wages, acquired after approval and reported timely, a two (2)~~[one (1)]~~ time only disregard per employed adult member of the benefit group, the amount of six (6)~~[two (2)]~~ full calendar months earnings calculated as follows:

1. The six (6)~~[two (2)]~~ months earnings disregard shall be consecutive, and at the option of the recipient; and

2. If otherwise eligible, a sanctioned or penalized member of the benefit group may receive the six (6)~~[two (2)]~~ months earnings disregard.

(4) Deductions from earnings pursuant to subsection (3)(a), (b) and (e) of this section shall not apply for a month the individual:

(a) Reduces, terminates, or refuses to accept employment within the period of thirty (30) days preceding such month, unless good cause exists pursuant to 921 KAR 2:370, Section 6(1); or

(b) Fails to report an increase in earnings, that impacts eligibility, within ten (10) days of the change, unless good cause exists as follows:

1. The benefit group has been directly affected by a natural disaster;

2. An immediate family member living in the home was institutionalized or died during the ten (10) day report period; or

3. The responsible relative in the case and the member employed, if different, is out of town for the entire ten (10) day report period.

Section 6. Child Care Expense. With the exception of those circumstances pursuant to Section 5(3)(b) of this administrative regulation, a child care expense incurred as a result of employment shall be paid pursuant to 922 KAR 2:160.

Section 7. Income and Resources of an Individual Not Included in the Benefit Group.

(1) The income provisions of this section shall apply to the following individuals, living in the home but not included in the benefit group, pursuant to subsection (2) of this section:

(a) A stepparent;

(b) The spouse of a minor dependent child;

(c) The spouse of a specified relative other than a parent; and

(d) A parent of a minor parent.

(2) The gross income of the individual shall be considered available to the benefit group, subject to the following deductions:

(a) The first 175~~[ninety (90)]~~ dollars of the gross earned income; and

(b)

1. An amount equal to the KTAP~~[K-TAP]~~ standard of need for the appropriate family size, pursuant to Section 9 of this administrative regulation for:

a. The support of the individual; and

b. A person living in the home if:

(i) The needs of the person are not included in the KTAP~~[K-TAP]~~ eligibility determination; and

(ii) The person is or may be claimed as a dependent for the purpose of determining his federal personal income tax liability by the individual;

2. An amount actually paid to a person not living in the home who is or may be claimed by him as a dependent for the purpose of determining his personal income tax liability by the individual; or

3. Payment for alimony or child support to a person not living in the home by the individual.

(3) A resource shall not be considered in determining eligibility of the parent, minor dependent child, or specified relative other than a parent or the benefit group that belongs solely to the:

(a) Stepparent;

(b) Spouse of a minor dependent child;

(c) Spouse of a specified relative other than a parent; or

(d) Parent of a minor parent.

Section 8. Immigrant ~~[Alien]~~ Sponsor Income and Resources.

(1)

(a) For the purpose of this section, the immigrant's~~[alien's]~~ sponsor and sponsor's spouse, if living with the sponsor, shall be referred to as sponsor.

(b) This subsection and subsections (2) though (6) of this section shall apply to an immigrant who has an agreement executed other than an agreement pursuant to 8 U.S.C. 1183a.

(2) The gross non-KTAP~~[K-TAP]~~ income and resources of an immigrant's~~[alien's]~~ sponsor shall be deemed available to the immigrant~~[alien]~~, subject to a deduction set forth in this section, for a period of three (3) years following entry into the United States.

(3) If an individual is sponsoring two (2) or more immigrants~~[aliens]~~, the income and resources shall be prorated among the sponsored immigrants~~[aliens]~~.

(4) If adequate information on the sponsor or sponsor's spouse is not provided, a sponsored immigrant~~[alien]~~ shall be ineligible for a month.

(5) If an immigrant~~[alien]~~ is sponsored by an agency or organization, that has executed an affidavit of support, the immigrant~~[alien]~~ shall be ineligible for benefits for a period of three (3) years from date of entry into the United States, unless it is determined that the sponsoring agency or organization:

(a) Is no longer in existence; or

(b) Does not have the financial ability to meet the immigrant's~~[alien's]~~ needs.

(6) The provisions of this subsection shall not apply to an immigrant~~[alien]~~ pursuant to subsection (5) or (7) of this section.

(a) The gross income of the sponsor shall be considered available to the benefit group subject to the following deductions:

1. Twenty (20) percent of the total monthly gross earned income, not to exceed $175;

2. An amount equal to the KTAP~~[K-TAP]~~ standard of need for the appropriate family size pursuant to Section 9 of this administrative regulation of:

a. The sponsor; and

b. Other person living in the household:

(i) Who is or may be claimed by the sponsor as a dependent in determining the sponsor's federal personal income tax liability; and

(ii) Whose needs are not considered in making a determination of eligibility for KTAP~~[K-TAP]~~;

3. An amount paid by the sponsor to a non-household~~[nonhousehold]~~ member who is or may be claimed as a dependent in determining the sponsor's federal personal tax liability;

4. Actual payment of alimony or child support paid to a non-household~~[nonhousehold]~~ member; and

5. Income of a sponsor receiving SSI or KTAP~~[K-TAP]~~.

(b) Resources deemed available to the immigrant~~[alien]~~ shall be the total amount of the resources of the sponsor and sponsor's spouse determined as if the sponsor were a KTAP~~[K-TAP]~~ applicant in this state, less $9,500~~[$1,500]~~.

(7)

(a) For a sponsored immigrant~~[alien]~~ who enters the United States on or after December 19, 1997, who is required to complete a sponsorship agreement pursuant to 8 U.S.C. 1183a, the total gross income and resources of an immigrant's~~[alien's]~~ sponsor and sponsor's spouse shall be deemed available to the immigrant~~[alien]~~.

(b) The sponsor's obligation shall be available until the:

1. Immigrant:

a. Becomes a United States citizen;

b. Is credited with forty (40) quarters of work; or

c. Ceases to hold the status of an immigrant~~[alien]~~ lawfully admitted for permanent residence; or

2. Sponsor dies.

(c) The immigrant shall provide the sponsorship agreement pursuant to 8 U.S.C. 1183a.

(8)

(a) The actual amount provided by the sponsor shall be considered for a period up to twelve (12) months from the date of determination, if an:

1. Amount less than the amount in the sponsorship agreement is made available to the immigrant; and

2. Immigrant ~~[Alien]~~ is determined indigent.

(b) An immigrant~~[alien]~~ shall be determined indigent if:

1. The amount of the sponsor's income and resources given to the immigrant~~[alien]~~ is less than the amount in the agreement; and

2. Without KTAP~~[K-TAP]~~ assistance and after consideration of the immigrant's~~[alien's]~~ own income, cash, food, housing or assistance provided by an individual including the sponsor, the immigrant~~[alien]~~ is unable to obtain food and shelter.

(9) Deeming of the sponsor's income shall not apply for twelve (12) months if the:

(a) Immigrant or immigrant's child ~~[Alien or alien's child]~~ has been subjected to extreme cruelty or battery while living in the United States and the individual committing the battery or extreme cruelty does not live with the child or parent if committed by a:

1. Spouse or parent; or

2. Spouse or parent's family living with the immigrant~~[alien]~~ or immigrant's~~[alien's]~~ child and the spouse or parent allows the cruelty or battery; or

(b) Immigrant ~~[Alien]~~ is a child who lives with a parent who has been subjected to extreme cruelty or battery while living in the United States, and the individual committing the battery or extreme cruelty does not live with the child or parent if committed by a:

1. Spouse; or

2. Member of the spouse's family living in the same household and the spouse allows the cruelty or battery.

Section 9. Payment Maximum.

(1) The KTAP~~[K-TAP]~~ payment maximum includes an amount for food, clothing, shelter, and utilities.

(2)

(a) Countable income, pursuant to Section 10 of this administrative regulation, shall be subtracted in determining eligibility for and the amount of the KTAP~~[K-TAP]~~ assistance payment as follows:

Number of Eligible Persons	Payment Maximum	Standard of Need
1 person	$372 ~~[$186]~~	$481 ~~[$401]~~
2 persons	$450 ~~[$225]~~	$552 ~~[$460]~~
3 persons	$524 ~~[$262]~~	$631 ~~[$526]~~
4 persons	$656 ~~[$328]~~	$710 ~~[$592]~~
5 persons	$766 ~~[$383]~~	$790 ~~[$658]~~
6 persons	$864 ~~[$432]~~	$869 ~~[$724]~~
7 or more persons	$964 ~~[$482]~~	$948 ~~[$790]~~

(b) The gross income limit shall be as follows for the appropriate family size:

Number of Eligible Persons	Maximum Gross Income Limits
1 Person	$890 ~~[$742]~~
2 Persons	$1,021 ~~[$851]~~
3 Persons	$1,169 ~~[$974]~~
4 Persons	$1,315 ~~[$1,096]~~
5 Persons	$1,462 ~~[$1,218]~~
6 Persons	$1,608 ~~[$1,340]~~
7 or more Persons	$1,754 ~~[$1,462]~~

(3) Since the payment maximum does not meet full need, ~~[effective July 1, 1989,]~~a forty-five (45) percent ratable reduction shall be applied to the deficit between the family's countable income and the standard of need for the appropriate family size.

(4)

(a) The assistance payment shall be the lesser amount of either:

1. Fifty-five (55) percent of the deficit pursuant to subsection (3) of this section; or
2. The payment maximum pursuant to subsection (2)(a) of this section.

(b) As a result of applying the forty-five (45) percent ratable reduction pursuant to subsection (3) of this section, an eligible payment to an otherwise eligible family with no income shall be calculated pursuant to KRS 205.200(2).

(5) If a benefit group's assistance payment equals zero (0), the benefit group shall be ineligible for KTAP~~[K-TAP]~~.

(6) To the extent funds are available, the payment maximum, gross income limit, and standard of need shall be the amount established in this section in addition to cost of living adjustments determined by the Social Security Administration that have taken place beginning in 2023 pursuant to 42 U.S.C. 415(i) and published at https://www.ssa.gov/cola/.

Section 10. Best Estimate.

(1) The benefit shall be computed by using a best estimate of income that may exist in the payment month.

(2) The following method shall be used to calculate a best estimate:

(a) For a case with earned income, other than self-employment earned income, a monthly amount shall be determined as follows:

1. Cents shall:

a. Not be rounded to the nearest dollar before adding or multiplying hourly or daily earnings; and

b. Be rounded to the nearest dollar before adding or multiplying weekly, biweekly, semimonthly, monthly, quarterly, or annual amounts.

2. Unless it does not represent the ongoing situation, income from all pay periods in the preceding two (2) calendar months~~[month]~~ shall be used.

3. A monthly amount shall be determined by:

a. Adding gross income from each pay period;

b. Dividing by the total number of pay periods considered;

c. Converting the pay period figure to a monthly figure by multiplying a:

(i) Weekly amount by four and one-third (4 1/3);

(ii) Biweekly amount by two and one-sixth (2 1/6); or

(iii) Semi-monthly ~~[Semimonthly]~~ amount by two (2); and

d. Rounding to the nearest dollar.

4. If income has recently begun, and the applicant or recipient has not received a calendar month of earned income, the anticipated monthly income shall be computed by:

a. Multiplying the hourly rate by the estimated number of hours to be worked in a pay period; or

b.

(i) Multiplying the daily rate by the estimated number of days to be worked in the pay period; and

(ii) Converting the resulting pay period figure to a monthly amount pursuant to subparagraph 3c of this paragraph and rounding to the nearest dollar.

(b) For a case with unearned income, other than unearned self-employment income, a monthly amount shall be determined by:

1. Rounding cents to the nearest dollar;

2. Using the gross monthly amount of continuing, stable unearned income received on a monthly basis; and

3. Averaging the amount of unstable unearned income received in the three (3) prior calendar months, unless it does not represent the ongoing situation.

(c) For a case with self-employment income, a monthly amount shall be determined as follows:

1. If the self-employment enterprise has been in operation for at least a year, the income shall be prorated by dividing the income from the last calendar year by twelve (12);

2. If the self-employment enterprise has been in operation for less than a year, the income shall be prorated by dividing by the number of months the business has been in existence; and

3. Profit shall be determined by:

a. Rounding the total gross income to the nearest dollar;

b. Rounding the total amount of allowable expenses to the nearest dollar;

c. Dividing each by twelve (12), or the appropriate number of months, and rounding to the nearest dollar; and

d. Subtracting the rounded monthly expense from the rounded monthly income.

(3) The best estimate shall be recalculated:

(a) At six (6) month intervals for a case with earned, unearned, or self-employment income;

(b) If the agency becomes aware of a change in a circumstance; or

(c) To reflect a mass change in the standard of need or payment maximum standard pursuant to Section 9 of this administrative regulation.

Section 11. KTAP ~~[K-TAP]~~ Recoupment. The following provisions shall apply for recoupment of a KTAP~~[K-TAP]~~ overpayment.

(1) Necessary action will be taken promptly to correct and recoup an overpayment.

(2) An overpayment shall be recovered:

(a) From an adult claimant, whether currently receiving KTAP~~[K-TAP]~~ benefits:

1. After notice and an opportunity for a fair hearing pursuant to 921 KAR 2:055 is given;

2. After administrative and judicial remedies have been exhausted or abandoned; and

3. Including assistance paid:

a. Pending the hearing decision; or

b. Due to cabinet error; and

(b) Through:

1. Repayment by the claimant to the cabinet;

2. Reduction of future KTAP~~[K-TAP]~~ benefits, that shall result in the benefit group retaining, for the payment month, family income and liquid resources of not less than ninety (90) percent of the amount of assistance paid to a like size family with no income pursuant to Section 9 of this administrative regulation;

3. Civil action in the court of appropriate jurisdiction; or

4. If the cabinet becomes aware of expunged electronic benefits transfer (EBT) payments, reduction of the overpayment balance by an amount equal to the expunged benefits.

(3) In a case that has both an overpayment and an underpayment, the overpayment and underpayment shall be offset one against the other in correcting the payment to a current recipient.

Section 12. ~~[Aid to Families with Dependent Children Recoupment.]~~

~~[(1)] [The cabinet shall recoup an Aid to Families with Dependent Children overpayment discovered on or after April 1, 1982, pursuant to 45 C.F.R. 233.20(a)(13).]~~

~~[(2)] [An Aid to Families with Dependent Children overpayment shall be recovered from an adult or child member of the benefit group:]~~

~~[(a)] [Pursuant to 45 C.F.R. 233.20(a)(13); and]~~

~~[(b)] [In accordance with the recoupment process specified in Section 11 of this administrative regulation.]~~

~~[Section 13.]~~ Avoiding an Overpayment.

(1) A KTAP~~[K-TAP]~~ recipient may voluntarily:

(a) Return a benefit payment; or

(b) Give permission to the cabinet to use EBT benefits by completing and returning a written statement requesting a written statement requesting this option to avoid an overpayment if the case:

1. Is totally ineligible for the month the payment is issued; and

2. Has not been reduced for recoupment of a previous overpayment.

(2) If a payment is voluntarily returned, the cabinet shall determine whether the recipient is due a refund as described in Section 13~~[14]~~ of this administrative regulation.

Section 13. ~~[Section 14.]~~ Refund. A recipient shall be due a refund in the following situations:

(1) An amount in excess of the actual overpayment is recouped;

(2) An overpayment and an underpayment is offset and a balance is owed to the recipient; or

(3) A KTAP~~[K-TAP]~~ payment that is voluntarily returned to avoid an overpayment is compared to the current month obligation of child support collected by the cabinet during

the month the KTAP payment[K-TAP check] was intended to cover, leaving a balance owed to the recipient.

Section 14. [Section 15.] Correction of Underpayments. The following provisions shall apply to a KTAP[K-TAP] payment:

(1) An underpayment shall be promptly corrected to:

(a) A current KTAP[K-TAP] recipient; or

(b) One (1) who would be a current recipient if the error causing the underpayment had not occurred.

(2) The difference between the payment received by the recipient and the actual entitlement amount shall be issued to the underpaid assistance group.

(3) In a determination of ongoing eligibility, the corrective payment to the assistance group shall not be considered as income or a resource in the:

(a) Month the payment is paid; or

(b) Next following month.

MARTA MIRANDA-STRAUB, Commissioner
ERIC C. FRIEDLANDER, Secretary

APPROVED BY AGENCY: August 2, 2022

FILED WITH LRC: August 4, 2022 at 8:10 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall, if requested, be held on October 24, 2022, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. The Zoom invitation will be emailed to each requestor the week prior to the scheduled hearing. Individuals interested in attending this virtual hearing shall notify this agency in writing by October 17, 2022, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until October 31, 2022. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

CONTACT PERSON: Krista Quarles, Policy Analyst, Office of Legislative and Regulatory Affairs, 275 East Main Street 5 W-A, Frankfort, Kentucky 40621; phone 502-564-6746; fax 502-564-7091; email CHFSregs@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Laura Begin and Krista Quarles

(1) Provide a brief summary of:

(a) What this administrative regulation does:
This administrative regulation establishes standards of need and amounts for Kentucky's Temporary Assistance for Needy Families (TANF) program, the Kentucky Transitional Assistance Program (KTAP).

(b) The necessity of this administrative regulation:
This administrative regulation is necessary to establish the criteria for standard of need, gross income scale, and payment amount for the Kentucky Transitional Assistance Program (KTAP).

(c) How this administrative regulation conforms to the content of the authorizing statutes:
This administrative regulation conforms to KRS 194A.050(1), which authorizes the Secretary of the Cabinet for Health and Family Services to promulgate administrative regulations necessary to qualify for federal funds and to cooperate with other state and federal agencies. The Cabinet has responsibility pursuant to 45 C.F.R. 260 to implement the TANF program in Kentucky.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:
This administrative regulation assists in the effective administration of the statutes by establishing income and payment criteria for the Kentucky Transitional Assistance Program (KTAP).

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:
This amendment updates terms used; updates resource limits, payment maximums, maximum gross income limit, and standard of need values that have not been updated in over twenty (20) years. This amendment incorporates a cost-of-living adjustment that has been implemented in TANF programs across the county recently. Between July 2020 and July 2021, nine states — Connecticut, Illinois, Maine, Nebraska, New Hampshire, Ohio, South Carolina, Texas, and Wyoming — included such adjustments in their state TANF programs (Center on Budget and Policy Priorities, 12/2021). More recently, Minnesota and Tennessee have adopted similar measures. This amendment also adds balances in a 529 or ABLE account to the list of excluded resources for program eligibility determinations and simplifies calculations.

(b) The necessity of the amendment to this administrative regulation:
The amendment is necessary in order to utilize federal funding in providing KTAP services for eligible TANF applicants. This amendment is also necessary to keep the administrative regulation from expiring pursuant to KRS 13A.3102 and 3104. The administrative regulation was reviewed for certification and determined to require updating.

(c) How the amendment conforms to the content of the authorizing statutes:
The amendment conforms to the authorizing statutes by maintaining standards for program eligibility, benefit provisions, and compliance.

(d) How the amendment will assist in the effective administration of the statutes:
The amendment allows for greater utilization of the TANF-funded KTAP program in Kentucky.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:
The Department for Community Based Services (DCBS) administers this program. As of April 2022, there were approximately 10,422 KTAP cases throughout Kentucky.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:
There are no additional requirements for KTAP applicants or recipients in this amendment. This amendment simplifies calculations for those considering whether they may be eligible or not.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):
DCBS will have minor costs associated with data system changes. Costs to the agency related to assistance provided are funded by the federal TANF Block Grant. There are no costs to KTAP applicants or recipients.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):
Resource limits used to determine eligibility and the amount of assistance provided are being updated because they have not been changed in over twenty (20) years.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:
DCBS will have minor costs associated with data system changes. There are no costs to KTAP applicants or recipients. The KTAP assistance provided is an eligible expenditure for federal funding from the federal TANF Block Grant.

(b) On a continuing basis:
The program is funded by the federal TANF Block Grant.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:
The implementation and enforcement of this administrative regulation is funded by the federal TANF Block Grant.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:
There is no increase in fees or funding required by this administrative regulation.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:
This administrative regulation does not establish or increase any fees.

(9) TIERING: Is tiering applied?
Tiering is not applied because this administrative regulation will be applied in a like manner statewide.

FEDERAL MANDATE ANALYSIS COMPARISON

(1) Federal statute or regulation constituting the federal mandate.
42 U.S.C. 601-619

(2) State compliance standards.
KRS 194A.050(1), 205.200(2), 205.210(1)

(3) Minimum or uniform standards contained in the federal mandate.
Operating a state program consistent with the rules of the Temporary Assistance for Needy Families Block Grant. (a) Provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives; (b) End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage; (c) Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and (d) Encourage the formation and maintenance of two-parent families.

(4) Will this administrative regulation impose stricter requirements, or additional or different responsibilities or requirements, than those required by the federal mandate?
The amendment does not impose stricter requirements than those required by the federal mandate.

(5) Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.
N/A

FISCAL NOTE

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

The Department for Community Based Services will be impacted by this administrative regulation by administering this program.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 194A.050(1), 205.200(2), 205.210(1), 42 U.S.C. 601619.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

This administrative regulation and program do provide assistance to eligible low-income families that will likely be spent in their local communities. The amount of revenue depends on program participation.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

This administrative regulation and program do provide assistance to eligible low-income families that will likely be spent in their local communities. The amount of revenue depends on program participation.

(c) How much will it cost to administer this program for the first year?

The cabinet will utilize the administrative funds available under the federal TANF Block Grant to administer this program in the first year. Assistance provided is funded by the TANF Block Grant as well.

(d) How much will it cost to administer this program for subsequent years?

The cabinet will utilize the administrative funds available under the TANF Block Grant to administer this programs in the first year.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

This administrative regulation establishes standards for need and amount for the Kentucky Transitional Assistance Program (KTAP). Cost savings are not generated

by this administrative regulation, but it also does not require costs from regulated entities.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

There are no cost savings associated with this amendment.

(c) How much will it cost the regulated entities for the first year?

There are no costs to regulated entities associated with this amendment.

(d) How much will it cost the regulated entities for subsequent years?

There are no costs to regulated entities associated with this amendment.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):

Expenditures (+/-):

Other Explanation:

(5) Explain whether this administrative regulation will have a major economic impact, as defined below.

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars ($500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)] This administrative regulation will not have a major economic impact or a negative or adverse economic impact on any parties.