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

921 KAR 3:020. Financial requirements.

RELATES TO: KRS 205.200(8), 7 C.F.R. Part 273, 7 U.S.C. 2014, 29 U.S.C. 3174~~[2801-2931]~~, 38 U.S.C. 1833, 42 U.S.C. 601-619, 1382a(b)(4)(B)(iv), 4951-4960, 9902(2), 12501-12604

STATUTORY AUTHORITY: KRS 194A.010(2), 194A.050(1), 205.1783(1), 7 C.F.R. 271.4, 7 U.S.C. 2011-2029

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.010(2) requires the Cabinet for Health and Family Services to administer income-supplement programs that protect, develop, preserve, and maintain families and children in the commonwealth~~[Commonwealth]~~. KRS 194A.050(1) requires the secretary to promulgate administrative regulations necessary to implement programs mandated by federal law 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 205.1783(1)(f) requires the cabinet to promulgate administrative regulations necessary to administer a standard medical deduction required by KRS 205.1783(1)(b)2. 7 U.S.C. 2011 to 2029 and 7 C.F.R. 271.4 authorize the cabinet to administer a Supplemental Nutrition Assistance Program (SNAP) within the state and prescribe the manner in which the program shall be implemented. This administrative regulation establishes the financial eligibility requirements used by the cabinet in the administration of SNAP. In addition, 7 U.S.C. 2014 allows states to exclude additional types of income and resources if these specific types of income and resources are not counted in the state's Temporary Assistance for Needy Families (TANF) or Medicaid programs~~[Programs]~~.

Section 1. Financial Eligibility Requirements.

(1) As established in 7 C.F.R. Part 273, national uniform standards of financial eligibility for SNAP shall be composed of the following criteria:

(a) Income limitations; and

(b) Resource limitations.

(2) The income eligibility standards shall be:

(a) Derived from the federal income poverty guidelines as defined in 42 U.S.C. 9902(2) for the forty-eight (48) contiguous states; and

(b) Adjusted annually each October 1, as published in the Federal Register.

Section 2. Countable Income. All income not excluded by Section 3 of this administrative regulation shall be considered in determining eligibility, including the following:

(1) Wages earned by a household member, including wages received by a striker as established in 921 KAR 3:035, Section 5(10);

(2) The gross income of a self-employment enterprise, including the total gain from the sale of capital goods or equipment related to the business, excluding the cost of doing business;

(3) Training allowance from vocational and rehabilitative programs recognized by federal, state, or local governments, to the extent that the allowances are not reimbursements;

(4) Volunteers in Service to America (VISTA) payments pursuant to 42 U.S.C. 4951 to 4960, unless specifically excluded in accordance with 7 C.F.R. 273.9(c)(10)(iii);

(5) The earned or unearned income of an ineligible household member or nonhousehold member as established in 921 KAR 3:035, Section 5(3) and (4);
(6) Assistance payments from federal or federally-aided public assistance including:
(a) Supplemental security income or "SSI";
(b) Kentucky Transitional Assistance Program or "KTAP"~~["K-TAP"]~~ in accordance with 921 KAR 2:016;
(c) General assistance programs;
(d) Other assistance programs based on need; or
(e) Kinship care in accordance with 922 KAR 1:130;
(7) Annuities;
(8) Pensions;
(9) Retirement, veteran's, or disability benefits;
(10) Worker's or unemployment compensation;
(11) Strike pay;
(12) Old-age survivors or Social Security benefits;
(13) Except as excluded in Section 3(16) of this administrative regulation, foster care payments for a child or adult;
(14) Gross income derived from rental property, minus the cost of doing business. This income shall be considered as earned income if the household member is actively engaged in the management of the property an average of twenty (20) hours or more per week;
(15) Wages earned by a household member that are garnished or diverted by an employer and paid to a third party for a household expense;
(16) Support or alimony payments made directly to the household from a nonhousehold member. This shall include any portion of a payment returned to the household by the cabinet;
(17) Wages received from a TANF funded work program in accordance with 42 U.S.C. 601-619;
(18) A payment from:
(a) A government sponsored program;
(b) A royalty; or
(c) Similar direct money payments from a source that may be construed as a gain or benefit;
(19) Money withdrawn from a trust fund;
(20) The amount of monthly income deemed to a sponsored immigrant as established in 921 KAR 3:035, Section 5(11);
(21) The portion of means tested assistance monies:
(a) From a:
1. Federal welfare program;
2. State welfare program; or
3. Local welfare program; and
(b) Withheld for the purpose of recouping an overpayment resulting from the household's intentional failure to comply with that program's requirements;
(22) Earnings of an individual who is participating in an on-the-job training program pursuant to 29 U.S.C. 3174~~[2801-2931]~~ unless the individual is under:
(a) Nineteen (19) years of age; and
(b) The parental control of another adult member; and
(23) An assistance payment for child care or attendant care:
(a) Received from an outside source; and
(b) Paid to one (1) household member:
1. From another household member; or
2. On behalf of another household member.

Section 3. Income Exclusions. The following shall not be considered as income:

(1) Money:

(a) Withheld from:

1. An assistance payment;

2. Earned income; or

3. Another income source; and

(b) Voluntarily or involuntarily returned to repay a prior overpayment received from the same income source, except as established in Section 2(21) of this administrative regulation;

(2)

(a) A child support payment if:

1. Received by a recipient of the KTAP~~[K-TAP]~~ or kinship care program~~[Kinship Care Program]~~; and

2. It is transferred to the Child Support Enforcement Program in the Department for Income Support to maintain eligibility in KTAP~~[K-TAP]~~ or kinship care program~~[Kinship Care Program]~~; and

(b) A portion of child support money returned to the household receiving KTAP~~[K-TAP]~~ or kinship care program~~[Kinship Care Program]~~ benefits by the cabinet shall not be excluded from income;

(3) A gain or benefit that is not in the form of money payable directly to the household;

(4) A monetary payment that is not legally obligated and otherwise payable directly to a household, but is paid to a third party for a household expense;

(5) Income:

(a) Received:

1. In the certification period; and

2. Too infrequently or irregularly to be reasonably anticipated; and

(b) Not in excess of thirty (30) dollars per quarter;

(6) Educational income including grants, loans, scholarships, ~~[and]~~ work study income, or other type of financial assistance for education pursuant to KRS 205.200(8), except as defined Section 2(17) of this administrative regulation;

(7) A loan from a:

(a) Private individual; or

(b) Commercial institution;

(8) A reimbursement for a past or future expense, other than normal living expenses;

(9) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member;

(10) The earned income of a child who is:

(a) A member of the household;

(b) An elementary or secondary school student; and

(c) Age seventeen (17) years or younger;

(11) Money received in the form of a nonrecurring lump-sum payment;

(12) The cost of producing self-employment income. If the cost of producing farm self-employment income exceeds the income derived from self-employment farming, the loss shall be offset against any other countable income in the household;

(13) Income specifically excluded by 7 U.S.C. 2014 from consideration as income for the purpose of determining SNAP eligibility;

(14) An energy assistance payment or allowance that is made:

(a) In accordance with any federal law, except 42 U.S.C. 601 to 619, including a utility reimbursement made by:

1. The Department of Housing and Urban Development; or

2. Rural Housing Service; or

(b) For the purpose of a one (1) time payment or allowance made as established in a federal or state law for the costs of:
1. Weatherization;
2. Emergency repair; or
3. Replacement of:
a. An unsafe or inoperative furnace; or
b. Other heating or cooling device;
(15) A cash donation based on need received from a nonprofit charitable organization, not to exceed $300 in a federal fiscal year quarter;
(16) A foster care payment for a foster child if the household requests that the child be excluded from the household in determining eligibility;
(17) Dividend income, in accordance with 7 U.S.C. 2014;
(18) Additional wages received by a member of the military while deployed to a designated combat zone, in accordance with 7 U.S.C. 2014;
(19) Veteran's benefits provided to children with identified birth defects born to female Vietnam veterans, in accordance with 38 U.S.C. 1833;
(20) Income from AmeriCorps programs, except for Volunteers in Service to America, as specified in Section 2(4) of this administrative regulation, in accordance with 42 U.S.C. 12501-12604;
(21) Income from a YouthBuild program, unless the income is from on-the-job training, as established in Section 2 of this administrative regulation, in accordance with 29 U.S.C. 3174~~[2931]~~; and
(22) Income associated with the fulfillment of an approved Plan for Achieving Self-Support (PASS), in accordance with 42 U.S.C. 1382a(b)(4)(B)(iv).

Section 4. Income Eligibility Standards. Participation in SNAP shall be limited to a household whose income falls at or below the applicable standards, as established by the Food and Nutrition Service in 7 C.F.R. Part 273 that are established in this section:
(1) A household that contains a member who is elderly or has a disability as defined in 921 KAR 3:010, Section 1(9) or (11), shall have the member's net income compared to 100 percent of the federal income poverty guidelines.
(2) A household in which a member receives or is authorized to receive cash, in-kind, or other benefits funded under TANF pursuant to 42 U.S.C. 601-619, shall be considered categorically eligible in accordance with 921 KAR 3:030, Section 6(4).
(3) A household in which all members are recipients of SSI shall be considered categorically eligible in accordance with 921 KAR 3:030, Section 6(3).
(4)
(a) Other households shall have a:
1. Gross income compared to 130 percent of the federal income poverty guidelines; and
2. Net income compared to 100 percent of the federal income poverty guidelines.
(b) A household's gross income as calculated pursuant to paragraph (a) of this subsection shall be the household's total income:
1. After excluded income has been disregarded in accordance with Section 3 of this administrative regulation; and
2. Before any deductions in accordance with Section 5 of this administrative regulation have been made.

Section 5. Income Deductions. The following shall be allowable income deductions:
(1) A monthly standard deduction per household, based on household size, as established in 7 U.S.C. 2014, that shall be periodically adjusted by the Food and Nutrition Service to reflect a change in the cost of living for a prior period of time as determined by the Food and Nutrition Service pursuant to 7 C.F.R. Part 273;

(2) Twenty (20) percent of gross earned income that is reported within ten (10) days of the date that the change of income becomes known to the household;
(3) A payment:
(a) For the actual cost for the care of:
1. A child; or
2. Other dependent; and
(b) Necessary for a household member to:
1. Seek, accept, or continue employment;
2. Attend training; or
3. Pursue education preparatory to employment;
(4) A homeless standard allowance of a shelter expense for a household in which all members are homeless and are not receiving free shelter throughout the calendar month, unless that household verifies higher expenses;
(5) A monthly standard medical deduction or verified actual ~~[An allowable]~~ medical expense ~~[in excess of thirty-five (35) dollars per month]~~incurred by a household member who meets the definition of being elderly or having a disability, as defined in 921 KAR 3:010, Section 1(9) or (11), and who submits verification of medical expense in excess of thirty-five (35) dollars per month:
(a) Including:
1. Medical and dental care;
2. Hospitalization or outpatient treatment and nursing care;
3. Medication and medical supplies;
4. A health insurance premium;
5. A hospitalization insurance premium;
6. Dentures, a hearing aid, eyeglasses, prosthetics; or
7. Similar medical expense; and
(b) Excluding special diet cost;
(6) Actual child support payment made by a household member shall be allowed as a deduction if:
(a) The household member is legally obligated to pay child support; and
(b) Verification is provided showing a payment is currently being made.

Section 6. Monthly Shelter Cost Deduction.
(1) The monthly shelter cost deduction shall be that amount in excess of fifty (50) percent of the household's income after allowable deductions have been made.
(2) The shelter deduction shall not exceed the current shelter maximum, except that a household shall not be subject to the maximum if a member is:
(a) Elderly; or
(b) Disabled.
(3) The excess shelter maximum shall be adjusted periodically by the Food and Nutrition Service to reflect change in the cost of living.
(4) Allowable monthly shelter expense shall include the following:
(a) Continuing charge for the shelter occupied by the household including:
1. Rent;
2. Mortgage;
3. Payment on mobile home loan;
4. Condominium and association fees;
5. Interest on a payment; and
6. Similar charge leading to ownership of the shelter;
(b) Property tax;
(c) State and local assessment;
(d) Insurance on the structure itself;

(e) The cost of:
1. Heating and cooking fuel;
2. Cooling;
3. Electricity;
4. Water and sewage;
5. Garbage and trash collection fee;
6. Telephone standard deduction; and
7. A fee charged by a utility provider for the initial installation of the utility;
(f) The shelter cost for the home if:
1. Temporarily unoccupied by the household because of:
a. Employment or training away from home;
b. Illness; or
c. Abandonment caused by a natural disaster or casualty loss;
2. The current occupant is not claiming shelter cost for food stamp purposes; and
3. The home is not leased or rented during the absence of the household; and
(g) A charge for the repair of the home if substantially damaged or destroyed by fire, flood, or other natural disaster, except to the extent the cost is reimbursed by:
1. A private or public relief agency;
2. Insurance; or
3. A similar source.
(5) The standard utility allowance shall be used to calculate shelter cost for a household:
(a) Receiving Low Income Home Energy Assistance Program benefits; or
(b) Incurring cost, separate from its rent or mortgage payment, for:
1. Heating; or
2. Cooling (by air conditioning unit only).
(6) The standard utility allowance shall be adjusted periodically.
(7) If the household is not entitled to the utility standard or homeless standard allowance, it shall be given the basic utility allowance in accordance with 7 U.S.C. 2014, if the household is billed for two (2) of the following:
(a) Electricity (nonheating and noncooling);
(b) Water or sewage;
(c) Garbage or trash;
(d) Cooking fuel; or
(e) Telephone service.
(8) The basic utility allowance shall be adjusted annually.
(9) A household whose only expense is for telephone service shall be given a telephone standard.
(10) A household not entitled to a standard specified in subsection (7) or (9) of this section may use actual utility expense to calculate shelter deduction.

Section 7. Resources.
(1) Uniform national resource standards of eligibility shall be utilized pursuant to 7 C.F.R. 273.8.
(2) Eligibility shall be denied or terminated if the total value of a household's liquid and nonliquid resources, not exempt pursuant to Section 8 of this administrative regulation, exceed:
(a) $3,500 for a household member:
1. With a disability as defined in 921 KAR 3:010, Section 1(9); or
2. Sixty (60) years or older; or
(b) $2,250 for any other household.
(3) Eligibility shall be denied or terminated for a household receiving one-time lottery or gambling winnings of $3,500 or more.

(4) A household that is categorically eligible in accordance with 921 KAR 3:030, Section 6, shall meet the SNAP resource requirement.

Section 8. Exempt Resources. The following resources shall not be considered in determining eligibility:

(1) All real estate, in accordance with 7 U.S.C. 2014;
(2) Household goods;
(3) Personal effects;
(4) A burial plot;
(5) The cash value of life insurance policies;
(6) In accordance with 7 U.S.C. 2014:~~[;]~~
(a) A tax-preferred retirement account;
(b) A prepaid burial account;
(c) A licensed or unlicensed vehicle;
(d) A recreational vehicle;
(e) A resource deemed to an alien from a sponsor or spouse of a sponsor;
(f) Principal and accrued interest of an irrevocable trust during a period of unavailability;
(g) A tax-preferred educational account; and
(h) Another resource that is excluded for SNAP purposes;
(7) A governmental payment that is designated for the restoration of a home damaged in a disaster, if the household is subject to legal sanction and if funds are not used as intended;
(8) A resource, of which the cash value is not accessible to the household;
(9) A resource that has been prorated as income;
(10) Income that is withheld by the employer to pay a certain expense directly to a third party as a vendor payment, to the extent that the remainder of the withheld income is not accessible to the household at the end of the year; and
(11) The earned income tax credit income received by a member of the household for a period of twelve (12) months from receipt if the member was participating in SNAP:
(a) At the time the credit was received; and
(b) Continuously during the twelve (12) month period of exclusion.

Section 9. Transfer of Resources. A household that has transferred a resource knowingly for the purpose of qualifying or attempting to qualify for SNAP shall be disqualified from participation in the program for up to one (1) year from the date of the discovery of the transfer.

Section 10. Failure to Comply with Other Programs.

(1) Except as provided in subsection (2) of this section, if the benefits of a household are reduced under a federal, state, or local law relating to a means-tested public assistance program for the failure of a member of the household to perform an action required under the law or program, for the duration of the reduction, the SNAP allotment of the household shall be reduced by twenty-five (25) percent.
(2) If the benefits of a household are reduced as defined in a federal, state, or local law relating to a means-tested public assistance program for the failure of a household member to perform a work requirement, the individual shall be subject to the disqualification procedures established in 921 KAR 3:027, Section ~~[5 or]~~6 or 7.

(3 Ky.R. 677; eff. 5-4-1977; Am. 6 Ky.R. 156; eff. 10-3-1979; 7 Ky.R. 692; eff. 4-1-1981; 8 Ky.R. 80; eff. 9-2-1981; 537; eff. 2-1-1982; 9 Ky.R. 277; eff. 9-8-1982; 1063; eff. 4-6-1983; 1253; eff. 6-1-1983; 10 Ky.R. 360; eff. 10-5-1983; 846; eff. 1-4-1984; 11 Ky.R. 87; eff. 8-7-1984; 1337; eff. 4-9-1985; 12 Ky.R. 1946; eff. 7-2-1986; 13 Ky.R. 983; eff. 12-2-1986; 1494; eff. 3-6-1987; 1954; eff. 6-9-1987; 14 Ky.R. 652; eff. 11-6-1987; 15 Ky.R. 1705; eff.

3-15-1989; 16 Ky.R. 1507; 1948; eff. 3-8-1990; 2788; eff. 7-18-1990; 18 Ky.R. 202; eff. 8-21-1991; 19 Ky.R. 311; eff. 8-28-1992; 21 Ky.R. 643; eff. 9-21-1994; 22 Ky.R. 395; eff. 9-20-1995; 1901; eff. 6-6-1996; 24 Ky.R. 209; 594; eff. 8-20-1997; Recodified from 904 KAR 3:020, 10-30-1998; 26 Ky.R. 2062; 27 Ky.R. 143; eff. 7-17-2000; 28 Ky.R. 1251; 1663; eff. 1-14-2002; 29 Ky.R. 2181; 2479; eff. 4-11-2003; TAm eff. 10-27-2004; 32 Ky.R. 164; eff. 11-16-2005; TAm eff. 1-27-2006;35 Ky.R. 1350; 1814; eff. 2-6-2009; 47 Ky.R. 1706; eff. 2-11-2021; 47 Ky.R. 1142, 1593; eff. 2-11-2021; TAm eff. 6-24-2021; 50 Ky.R. 226; eff. 10-25-2023.)

LESA DENNIS, Acting Commissioner
ERIC C. FRIEDLANDER, Secretary

APPROVED BY AGENCY: May 26, 2023
FILED WITH LRC: June 7, 2023 at 2:35 p.m.
PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall, if requested, be held on August 21, 2023, 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 August 14, 2023, 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 August 31, 2023. 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:Krista Quarles or Jonathan Scott

(1) Provide a brief summary of:

(a) What this administrative regulation does:
This administrative regulation establishes the financial eligibility qualification criteria for the Supplemental Nutrition Assistance Program (SNAP).

(b) The necessity of this administrative regulation:
This administrative regulation is necessary to establish financial standards used to determine SNAP eligibility.

(c) How this administrative regulation conforms to the content of the authorizing statutes:
This administrative regulation conforms to the authorizing statutes by establishing the financial eligibility requirements for SNAP.

(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 the financial eligibility requirements for SNAP.

(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 adds the option of utilizing a standard medical deduction or actual monthly medical expenses when determining income deductions and eligibility for SNAP applicants who meet the established definitions for elderly or disabled.

(b) The necessity of the amendment to this administrative regulation:
This amendment is required by KRS 205.1783(1), originally passed as House Bill 7 in the 2022 Regular Session.

(c) How the amendment conforms to the content of the authorizing statutes:
This amendment conforms to the content of the authorizing statutes by implementing programs necessary for the proper administration of the cabinet and its programs. KRS 205.1783(1)(b)2. required the cabinet to request a waiver from the United States Department of Agriculture to implement a standard medical deduction waiver for individuals who are sixty (60) years of age or older or are disabled. The wavier was requested by the cabinet and approved by the federal government. KRS 205.1783(1)(f) requires the cabinet to promulgate administrative regulations necessary to administer this section.

(d) How the amendment will assist in the effective administration of the statutes:
This administrative regulation fulfills a statutory requirement to request a waiver for this program and implement it once approved by the federal government.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:
All SNAP recipients whose households contain individuals who are elderly or disabled may benefit from this program.

(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:

SNAP recipients who meet the definitions of elderly or disabled will still have to submit verification of medical expenses but will either receive a standard medical deduction or a deduction of their actual medical expenses from their income in determining SNAP eligibility.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There are no costs incurred by affected households.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

Households containing individuals who are elderly or disabled will have their monthly medical expenses deducted from their income in determining SNAP eligibility. This will improve access to SNAP for the elderly and disabled population.

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

(a) Initially:

The only cost to implement this program will be that of minor system changes and staff training. Administrative costs are funded 50% by the federal government.

(b) On a continuing basis:

Once established, there will be no continuing costs.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

SNAP benefits are 100% federally funded. Administrative functions are funded at a 50% state and 50% federal match rate. The funding has been appropriated in the enacted budget

(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 are no fees associated with this amendment.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

There are no fees associated with this amendment.

(9) TIERING: Is tiering applied?

Tiering is not applied, because this administrative regulation will be applied in a like manner for households containing individuals who are elderly or disabled statewide.

FEDERAL MANDATE ANALYSIS COMPARISON

(1) Federal statute or regulation constituting the federal mandate.
7 C.F.R. 271.4, 7 U.S.C. 2011-2029.

(2) State compliance standards.
KRS 194A.010(2), 194A.050(1), 205.1783(1).

(3) Minimum or uniform standards contained in the federal mandate.
The provisions of the administrative regulation comply with the federal mandate and granted waiver request.

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

(5) Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.
Not applicable.

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 Cabinet for Health and Family Services administers this program.

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

7 C.F.R. 271.4, 7 U.S.C. 2011-2029, KRS 194A.010(2), 194A.050(1), 205.1783(1).

(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 will not generate new revenue for state or local government.

(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 will not generate new revenue for state or local government, although retailers, grocers, farmers, and local communities benefit from the federal dollars spent through SNAP.

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

This administrative regulation amendment will require system design changes and staff training of less than $500,000. The federal government funds half of all administrative costs for SNAP.

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

Once the system changes are in place there will no costs to administer for subsequent years.

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 amendment will improve food access for households containing individuals who are elderly or disabled. This will result in a cost savings for these households.

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

Ongoing cost savings cannot be anticipated at this time.

(c) How much will it cost the regulated entities for the first year?
There is no cost to affected entities.

(d) How much will it cost the regulated entities for subsequent years?
There is no anticipated ongoing costs to affected entities.

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 amendment is not anticipated to have a major economic impact. This administrative regulation will not have a major economic impact. This amendment will improve food access for households containing elderly or disabled individuals and also provide federal funding to grocers, retailers, farmers, and other members of local communities.