

Notice of Agency Rule-making Adoption

MAPA 4

AGENCY: Department of Health and Human Services, Office for Family Independence

CHAPTER NUMBER AND TITLE:

10-144 C.M.R. Chapter 301; Supplemental Nutrition Assistance Program (SNAP) Rules; Section 999-3 Rule #231 – FFY24 Budgeting Changes

ADOPTED RULE NUMBER:

CONCISE SUMMARY: Federal rule 7 C.F.R. § 273.9 (d)(6)(iii)(B) requires that standard utility allowances are updated each year, effective October 1. USDA Food and Nutrition Services (FNS) annually approves utility allowances calculated by states. The calculations are based on the change in the Consumer Price Index for fuel and utilities, between June 2022 and June 2023.

The final values for Maine’s standard/heating cooling, non-heat and phone allowances were not approved by the USDA Food and Nutrition Service until August 18, 2023. These approvals did not allow the Department to comply with the non-emergency rulemaking process and implement the changes by the required date of October 1, 2023.

Pursuant to 5 M.R.S. § 8054, the Department finds that emergency rulemaking is necessary for the health, safety, and general welfare of SNAP recipients. Failure to make these changes by the C.F.R. required deadline could result in individual families needing to pay back overpaid benefits and the Department being assessed financial penalties by FNS that would reduce the resources available to serve the people of Maine as a whole. By continuing to issue SNAP benefits appropriately and accurately these circumstances can be avoided.

This rule may have an adverse impact on municipalities or small businesses. A financial impact statement is available upon request. Requests should be directed to the contact person listed below.

See <https://www.maine.gov/dhhs/about/rulemaking> for rules and related rulemaking documents.

EFFECTIVE DATE: September 29, 2023

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