

Rule-Making Fact Sheet

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

AGENCY CONTACT PERSON:

Ian Miller, Senior Program Manager - SNAP
Department of Health and Human Services
Office for Family Independence
109 Capitol Street
Augusta, ME 04330-6841
Phone: (207) 624-4138/Fax: (207) 287-3455
TT Users Call Maine Relay – 711
Ian.Miller@Maine.gov

CHAPTER NUMBER AND RULE TITLE: 10-144 C.M.R. Chapter 301 – Supplemental Nutrition Assistance Program (SNAP) Rules; Section 999-3

SNAP Rule # 232P - 2024 Federal Poverty Level Updates

TYPE OF RULE (*check one*): Routine Technical Major Substantive

STATUTORY AUTHORITY: 22 M.R.S. §§ 42(1) and (8); 3104(13)

PUBLIC HEARING: None scheduled.

COMMENT DEADLINE: Monday, April 8, 2024, at 5:00 p.m. E.T.

Written public comments may be submitted via the link at

<https://www.maine.gov/dhhs/about/rulemaking>.

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: Maine exercises an option for Broad Based Categorical Eligibility under 7 C.F.R. § 273.2(j)(2) which includes a 200% Federal Poverty Level (FPL) test. This figure is not included in the figures updated each federal fiscal year per 7 C.F.R. § 273.9(a)(4), it is updated as soon as the the FPLs are published. This year's FPLs were published at <https://aspe.hhs.gov/poverty-guidelines> on January 17. See also, Annual Update of the HHS Poverty Guidelines, Federal Register 89:11 (January, 17, 2024) pages. 2961-2963, <https://www.govinfo.gov/content/pkg/FR-2024-01-17/pdf/2024-00796.pdf>. The Department proposes to incorporate these figures effective retroactive to January 11, 2024. Retroactive rulemaking is permissible under 22 M.R.S. § 42(8) as these changes afford this benefit to more residents of the State of Maine and do not adversely impact applicants, participants, beneficiaries, or providers. The changes to Section 999-3 Chart 4 would make SNAP benefits and the related SNAP Employment and Training (E&T) services available to more Maine households.

Federal rule [7 C.F.R. § 273.9\(a\)\(3\)](#) requires that FPL tests are updated each year, effective October 1st. The U.S. Department of Health and Human Services provided the updated Federal Poverty Guidelines on January 17, 2024. These figures are included in the figures updated each federal fiscal year per [7 C.F.R. § 273.9\(a\)\(4\)](#). The Department proposes to incorporate these figures effective October 1, 2024. Incorporating these changes to Section 999-3 Chart 1, Chart 2, and Chart 3 will make SNAP benefits and the related SNAP Employment and Training (E&T) services available to more Maine households and reduce rulemaking effort and improve efficiency.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? No.

ANALYSIS AND EXPECTED OPERATION OF THE RULE: Department staff will continue to issue benefits following the updated guidance. Additional households may be eligible for SNAP benefits including the benefit of SNAP E&T supports.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE: The Updated Federal Poverty Levels published at <https://aspe.hhs.gov/poverty-guidelines>

ESTIMATED FISCAL IMPACT OF THE RULE: The increases to the gross income test for broad based categorically eligible households may have a minor, indeterminate impact on the number of households receiving SNAP benefits. However, the majority of these households would be eligible for a \$0 benefit, with the primary benefit to the household being eligibility for the SNAP E&T program, the cost of which would not be impacted.

Increases in the income thresholds for eligibility may result in additional households being eligible for state or federally funded benefits. The number of households and the amount of benefits cannot be determined. These potential increases will be absorbed by existing budgeting.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED AND HOW THEY WILL BE AFFECTED:

BENEFITS OF THE RULE:

Note: If necessary, additional pages may be used.