

**STATE OF RHODE ISLAND
DEPARTMENT OF HUMAN SERVICES
PUBLIC NOTICE OF PROPOSED RULE-MAKING**

In accordance with the R.I. Gen. Laws Chapter 42-35, as amended, as amended, the Department of Human Services (DHS) hereby proposes to amend the following DHS rules:

**RICR Title 218 – Rhode Island Department of Human Services
Chapter 20 – Individual and Family Support Programs
Part 2 – Rhode Island Works Program Rules and Regulations**

In accordance with the Administrative Procedures Act, the Department is proposing rule-making to amend the Rhode Island Works Program Rules and Regulations. Effective December 6, 2021, the department proposes the following changes:

A. COVID language and changes added to the following sections:

§§ 2.1; 2.2; 2.3; 2.3.1; 2.3.2; 2.3.3 B.; 2.3.5; 2.3.6; 2.3.8; 2.5.3; 2.6.3; 2.6.5; 2.7.8; 2.10; 2.10.3; 2.11; 2.15.3; 2.21.4; 2.21.5; 2.23.3

B. Implemented changes due to the passage of the State Budget, Fiscal Year 2022, effective 7/1/2021:

§ 2.2 Definitions

A.8. “dependent child” – updated definition

A.25. “minor parent” – updated definition

§ 2.13 Child Care Assistance

C.2. Effective January 1, 2021 through June 30, 2022, the Department shall also provide child care assistance to families with incomes below one hundred eighty percent (180%) of the federal poverty level when such assistance is necessary for a member of these families to enroll or maintain enrollment in a Rhode Island public institution of higher education provided that eligibility to receive funding is capped when expenditures reach two hundred thousand dollars (\$200,000.00) for this provision.

§ 2.14.2 Excluded Resources

J. 1.e. Effective with the 2021-2022 State budget, any veteran's disability pension benefits received as a result of any disability sustained by the veteran while in the military service (see RI Gen. Law 40-5.2-10, as amended by Article 13).

§ 2.15.3 Excluded Income

F. Effective with the 2021-2022 Rhode Island State budget (see RI Gen. Law 40-5.2-10, as amended by Article 13):

1. The earned income of any adult family member who gains employment while an active RI Works household member. Such income is excluded for the first six (6) months of employment in which the income is earned, or until the household's total gross income exceeds one hundred and eighty five (185) percent of the federal poverty level, unless the household reaches its forty-eight (48) month time limit first.
2. Any veteran's disability pension benefits received as a result of any disability sustained by the veteran while in the military service.

§ 2.18.1 Updated Standards of Assistance

§ 2.18.2 Updated Subsidized Housing Adjustment

C. Additional Changes:

§§ 2.3.5, 2.11.6 Removed reference to requirements for Medicaid, Child Care, and Supplemental Nutrition Assistance programs

§§ 2.3.5, 2.5.2 Removed reference to graduation for dependent child in high school, GED program, or equivalent

§ 2.3.6 Removed requirement for DHS witness of signature on application

§ 2.10 Updated reference to DLT to vendor

§ 2.10.2 Expanded Financial Plan to include Financial Literacy Training

§§ 2.11.2, 2.11.3 Removed reference to participation hours for non-core activities
Removed reference to DCYF

Removed six (6) month restriction for Adult Education in an intensive work readiness program

§ 2.11.6 Removed reference to DHS Housing Services and Housing Worker

D. Throughout the Rule:

- Changed “screening worker” to DHS worker
- Changed “screening interview” to initial interview
- Changed references from “Youth Home Visiting Program” to “Teen and Family Development (TFD) Program”

E. Correction of the following grammatical errors:

- Index – title of section “Third-Party Liability”;
- § 2.5.9 D – changed “families” to “family”;
- § 2.2 A.34 – updated State name to remove “and Providence Plantations”;
- § 2.16.2 – corrected citation

In the development of these rules, consideration was given to the following: (1) alternative approaches; and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This proposed rule is accessible on the R.I. Secretary of State website (<https://rules.sos.ri.gov/Organizations/SubChapter/218-20-00>) or available in hard copy upon request (401-462-2018 or RI Relay, dial 711). Interested persons should submit data, views or written comments between December 6, 2021 and January 5, 2022 to Mary Beth Slinko, Office of Policy Development, Department of Human Services, Louis Pasteur Building # 57, 25 Howard Avenue, Cranston, RI 02920, or email to Mary.Slinko@dhs.ri.gov.

In Accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice (between December 6, 2021 and January 5, 2022).

The Department of Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief or handicap in acceptance for or provision of services or employment in its programs or activities.