

Amendment to SB 420-FN

1 Amend RSA 167:6, VI as inserted by section 1 of the bill by replacing it with the following:

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3 VI. For the purposes hereof, a person shall be eligible for aid to the permanently and totally
4 disabled who is between the ages of 18 and 64 years of age inclusive; is a resident of the state; and is
5 disabled as defined in the federal Social Security Act, Titles II and XVI and the regulations adopted
6 under such act, except that the minimum required duration of the impairment shall be 48 months,
7 unless and until the department adopts a 12-month standard in accordance with RSA 167:3-j. In
8 determining disability, the standards for "substantial gainful activity" as used in the Social Security
9 Act shall apply, including all work incentive provisions including Impairment Related Work
10 Expenses, Plans to Achieve Self Support, and subsidies. Notwithstanding any provision of law to
11 the contrary, eligibility for **state** cash assistance and medical assistance shall be conditioned upon
12 the ~~[recipient]~~ **person** filing an application or applications for any federal cash ~~[assistance]~~ benefits
13 for which the individual may be entitled and pursuing ~~[any]~~ **all** appeals available for those federal
14 **cash** benefits. **State** cash assistance **for an applicant** shall ~~[terminate]~~ **be denied, or for a**
15 **recipient shall be terminated** upon a finding of clinical ineligibility for such federal **cash**
16 benefits, except that any individual receiving cash assistance on June 30, 2011 shall only be
17 ineligible for cash assistance upon a second finding of clinical ineligibility. Notwithstanding any
18 provision of the law to the contrary, an individual who appeals the ~~[closure]~~ **termination** of **state**
19 cash assistance, pursuant to RSA 161:4, IV, for the reasons set forth in this paragraph, shall not
20 continue to receive such **state** cash assistance benefits during the pendency of such appeal **unless**
21 **otherwise specified by the commissioner of the department of health and human services**
22 **in accordance with rules adopted under RSA 541-A.** No person shall be eligible to receive such
23 aid while receiving old age assistance, aid to the needy blind, or ~~[aid]~~ **state cash assistance** to
24 families with dependent children.