

#14689 (eff 9-2-26)

Readopt with amendment He-W 606.78, effective 07-22-16 (Document #11141), to read as follows:**He-W 606.78 Personal Property Resources.****(a) For all categories of financial assistance:**

- (1) The following documents shall be used to verify that a resource is legally unavailable to the applicant or recipient, pursuant to RSA 167:81, IV(e):
 - a. For irrevocable trust funds, the trust instrument or agreement;
 - b. For irrevocable burial funds, the bank account, agreement, trust instrument, or similar document which clearly states that the burial funds are not legally available to the individual; and
 - c. For property in probate, written or verbal contact with the register of probate in the appropriate county indicating that the property is currently in probate and legally unavailable to the applicant or recipient or a letter from the attorney handling the property indicating the property is legally unavailable to the applicant or recipient;
- (2) Acceptable verification of income tax refunds or lump sum earned income tax credit payments shall be a copy of the tax refund check or the applicant's or recipient's submitted tax return;
- (3) Acceptable verification of the value of individual retirement accounts and non-contractual Keogh accounts, and any penalty for early withdrawal, shall be a written statement from the financial institution where the account was issued indicating the current balance in the account and penalty for withdrawal of the entire amount in the account;
- (4) Acceptable verification of the type of Keogh account, such as contractual or non-contractual, shall be a written statement from the individual's employer or the financial institution where the account was issued indicating whether it involves a contractual relationship with other individuals and if money can be withdrawn without affecting the other individuals involved;
- (5) Acceptable verification of the face value of life insurance shall be:
 - a. The actual policy itself; or
 - b. Written or verbal contact with the insurance company when the face value cannot be determined using the actual policy;
- (6) Acceptable verification of the equity value of life insurance shall be determined by written or verbal contact with the insurance company;
- (7) Acceptable verification of lump sum death benefits shall be a letter of award, written contact with the agency providing the benefit or with the funeral director arranging for payment of the benefit, or if written documentation cannot be furnished, department of health and human services (department) verbal contact with the agency or funeral director;
- (8) Acceptable verification of resources resulting from an accumulation of types of income which are excluded by federal mandate shall be letters of award, written statements from the source providing benefits, or, if written documentation cannot be furnished, the department's verbal contact with the source providing the benefits;

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(9) Acceptable verification of stocks and bonds shall be the market value of the stock or bond from any internet website that provides daily stock values, or if written documentation cannot be located, the department's verbal contact with a stockbroker; and

(10) Good faith effort to sell a personal property asset that cannot be readily converted to cash shall be an advertisement or evidence of other means showing that the asset is for sale at a price commensurate with the property's fair market value.

(b) For verification of resources for the financial assistance to needy family's category of financial assistance the following shall apply:

(1) For equity value of a vehicle:

a. The fair market value of a vehicle shall be determined using the "trade-in value" from the National Automobile Dealers Association (NADA) Official Used Car Guide, available as noted in Appendix A;

b. The fair market value shall not be increased because of low mileage or other factors such as optional equipment or special apparatus for individuals with physical disabilities;

c. If the applicant or recipient states that the NADA guide fair market value does not apply to the vehicle because of body damage or other factors, the individual shall present verification of the true fair market value of the vehicle from an auto dealer or an individual who is engaged in a vehicle sales or service business; and

d. If a vehicle is custom made, too old, or too new to be included in the NADA guide, the applicant or recipient shall verify its fair market value by:

1. Obtaining an appraisal from an automobile dealer or an individual who is engaged in a vehicle sales or service business; or

2. Submitting an advertisement which indicates the amount for which like vehicles are being sold;

(2) The applicant's or recipient's written statement shall be acceptable verification of the fact that a vehicle is a junk vehicle, provided the statement gives an accurate and complete description of the vehicle's condition; and

(3) Acceptable verification of the fact that farm machinery and vehicles are necessary for subsistence, maintenance, or employment shall be a written statement from the applicant or recipient.

(c) Acceptable verification of incurred unpaid non-reimbursable medical expenses for adult category financial assistance shall be bills which substantiate the amount of unpaid non-reimbursable medical expenses and the frequency of such expenses that the applicant or spouse has incurred and that the applicant or spouse is still liable for the unpaid medical expenses.

APPENDIX A

Rule	Title	Publisher; How to Obtain; and Cost
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He-W 606.78(b)	National Automobile Dealers Association Official Used Car Guide	Publisher: National Automobile Dealers Association Cost: none The incorporated document is available at: https://www.nada.org/nada/consumer-vehicle-values
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APPENDIX B

Rule	Specific State or Federal Statute or Regulations the Rule Implements
He-W 606.78	RSA 167:4; RSA 167:7, IV; RSA 167:81, I; 42 CFR 435.845