



OFFICE OF LEGISLATIVE SERVICES
ADMINISTRATIVE RULES
STATE HOUSE ANNEX
25 CAPITOL STREET, ROOM 234
CONCORD, NH 03301

Rulemaking Notice Form

Notice Number: 2025-271

Rule Number: He-W 654.13

1. **Agency:** Department of Health and Human Services
Former Division of Human Services
129 Pleasant St
Concord, NH
2. **RSA Authority:** RSA 167:3-c, IX
3. **Federal Authority:**
4. **Action(s):** Readopt w/Amendment
5. **Short Title:** Earned Income Disregard (EID) and Employment Expense Disregard (EED) for Financial Assistance to Needy Families (FANF)
6. **(a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:**

The Department of Health and Human Services is proposing to readopt with amendment He-W 654.13 by updating two citations.

He-W 654.13 specifies that an earned income disregard (EID) shall be subtracted from the gross earned income for each applicant or recipient when determining eligibility for Financial Assistance to Needy Families (FANF) financial assistance. The EID shall be 20% for applicants who have not received FANF financial assistance in any of the previous 6 months prior to application. If a financial assistance applicant is determined eligible after applying the 20% EID, then the benefit amount shall be determined using a 50% EID.

He-W 654.13 does not implement a state statute for the first time.

6. **(b) Brief description of the groups affected:**

Applicants and recipients of financial assistance and their authorized representatives.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State or Federal Statute or Regulations the Rule Implements
He-W 654.13	RSA 167:4, I(a), RSA 167:80, IV(i) and V; RSA 167:82, VII(b); 45 CFR 233.20(u)(6) and (u)(11)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Nicole Valanzola	Title: Rules Coordinator
Address: 129 Pleasant St, Concord, NH	Phone Number: (603) 271-9640
	FAX Number: (603) 271-5590
	Email: nicole.valanzola@dhhs.nh.gov

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified:

Wednesday, January 14, 2026

☒ Fax
☒ Email
☐ Other

9. Public hearing scheduled for:

Date: Wednesday, January 7, 2026

Time: 1:00 PM

Place: DHHS Brown Bldg., Auditorium, 129 Pleasant St., Concord, NH

Electronic Access, if applicable: N/A

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS #: 25:246, dated: 2025-11-19

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost between the proposed rule and the existing rule.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rule does not modify existing responsibilities, and does not mandate any fees, duties, or expenditures on the political subdivisions of the state, and therefore does not violate Part I, Article 28-a of the N.H. Constitution.