



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

Rulemaking Notice Form

Notice Number: 2026-197

Rule Number: He-W 884.02

1. **Agency:** Department of Health and Human Services
Former Division of Human Services

Agency Address: Department of Health and Human Services
Administrative Rules Unit
Brown Building, 2nd Floor 129
Pleasant St. Concord, NH 03301

2. **RSA Authority:** RSA 167:3-c, I
3. **Federal Authority:**
4. **Action(s):** Readopt w/Amendment
5. **Short Title:** Regularly Scheduled Redeterminations
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 (Department) is proposing to readopt He-W 884.02 with amendments. He-W 884.02 specifies the process for regularly scheduled redetermination for modified adjusted gross income (MAGI) based medical assistance, and non-MAGI based medical assistance.

The Department is proposing to readopt He-W 884.02 with amendments by adding language that individuals in the medical assistance group described in 42 CFR 435.119 shall have redeterminations scheduled once every 6 months, in accordance with 42 USC 1396a(e)(14)(L).

_ Does this rule implement a state statute for the first time?

The proposal does not implement a state statute for the first time but does implement a Federal change, Section 71107 of Public Law 119-21.

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

He-W 884.02 affects recipients of medical assistance.

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 884.02	RSA 167:3-c, I; RSA 167:3-c, VIII; RSA 167:4; RSA 167:83, II(d); 42 CFR 435.916 (2023); 42 CFR 435.119; 42 USC 1396a(e)(14)(L); 42 USC 1396a(xx)(9)(A)(ii)(II)

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

Name: Nicole Valanzola	Title: Rules Coordinator
Address: Department of Health and Human Services Administrative Rules Unit Brown Building, 2nd Floor 129 Pleasant St. Concord, NH 03301	Phone Number: (603) 271-9640
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	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:**

Friday, October 30, 2026

☒ **Fax**
☒ **Email**
☐ **Other**

9. **Public hearing scheduled for:**

Date: Friday, October 23, 2026

Time: 11:00 AM

Place: Dept. of Health and Human Services
Brown Building, Auditorium
129 Pleasant St.
Concord, NH 03301

Electronic Access, if applicable: N/A

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

FIS #: 26:214, dated: Thursday, September 17, 2026

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

There is no difference in cost when comparing the proposed rule to the existing rule.

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

The Department of Health and Human Services notes that on July 4, 2025, Public Law 119-21, aka the “Working Families Tax Cut” (WFTC) legislation, was signed into law. Section 71107 amends section 1902(e)(14) of the Social Security Act (the Act) (42 USC 1396a(e)(14)(L), to add a new subparagraph (L) that requires states to conduct renewals of eligibility once every 6 months, instead of once every 12 months, for individuals in the “adult expansion group” as described in 42 CFR 435.119, (also known as Granite Advantage), beginning with renewals scheduled on or after January 1, 2027. The Department anticipates no fiscal impact as a result of this requirement.

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:

Although the proposed rule modifies existing responsibilities, it 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.