

Readopt with amendment He-W 801.07, effective 12-28-23 (Document #13836), to read as follows:

PART He-W 801 - DEFINITIONS

He-W 801.07 Definitions R–S.

(a) “Real property resources” means resources that are in the form of real estate, including land and buildings.

(b) “Recipient” means any individual who has been determined eligible and is currently receiving medical assistance.

(c) “Recoupment” means the collection or recovery by the department for the value of assistance erroneously paid to an individual regardless of the cause.

(d) “Resident” means an individual who lives in the state voluntarily, pursuant to RSA 21:6.

(e) “Resources” means property owned by an individual, and includes both personal and real property resources.

(f) “Responsible parent” means a biological parent, adoptive parent, stepparent, or grandparent who, by state law, is liable for the support of a child who receives medical assistance.

(g) “Retroactive month” means ~~any one of the 3 months~~ a period of eligibility prior to the month of application directly preceding the application beginning the day prior to the application date back to the same date in each of the preceding 3 months as defined in He-W 880.01.

(h) “Revocable trust” means a trust that can be revoked by the grantor, including trusts that are called irrevocable but which will terminate if some action is taken by the grantor.

(i) “Similar legal device” means any instrument, device, or arrangement which cannot be called a trust under state law, but which exhibits the general characteristics of a trust as defined in He-W 801.08(d), such as escrow accounts, investment accounts, pension funds, annuities, and other similar instruments managed by an individual or entity with fiduciary responsibilities.

(j) “Specified relative” means father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece, including relatives of half-blood, relatives of preceding generations as denoted by the prefixes of grand, great, or great-great, adoptive parents and their relatives to the same degree as blood relatives, and spouses of the above relatives even after the marriage is terminated by death or divorce, who provides care and parental control to a dependent child.

(k) “Standard disregard” for adult category assistance means a flat amount which is subtracted from unearned income.

(l) “Standard of need” means the amount of income necessary for recipients to have a reasonable level of subsistence for categorically needy medical assistance.

(m) “Stepparent” means an individual who is currently legally married to a child's biological or adoptive parent but has no biological or adoptive parental relationship to the child.

(n) “Student” means an individual who is officially enrolled in, and regularly attending, an elementary or secondary school, college, university, or a technical or vocational training program which has the main objective of training individuals for gainful employment.

(o) “Sworn statement” means a statement made under oath or affirmation reciting facts which are personally known by the signer, and which are sworn to and notarized by either a notary public or justice of the peace.

APPENDIX

Rule	Specific State or Federal Statute or Regulation the Rule Implements
He-W 801.07	RSA 161-B:2, XIV; RSA 167:3; RSA 167:3-c, I; RSA 167:4, I; RSA 167:6, V; RSA 167:7, I-III; RSA 167:14-a; RSA 167:78, XXIII; RSA 170-B:2, XII; 42 CFR 435.119; 42 CFR 435.403(d); 42 CFR 435.915; 42 USC 607(e); 42 USC 409(a)(4); 42 USC 1396a(a)(34); 42 USC 1382b; 42 USC 1396p