

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	11/18/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 12/26/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

07 03 17 30, .32, .39

3. Name of Promulgating Authority

Department of Human Resources

4. Name of Regulations Coordinator

Andrea Shuck

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5. Name of Person to Call About this Document

Marilyn Lorenzo

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6. Check applicable items:

- New Regulations
 - Amendments to Existing Regulations
 - Date when existing text was downloaded from COMAR online: 07/31/2014.
 - Repeal of Existing Regulations
 - Recodification
 - Incorporation by Reference of Documents Requiring DSD Approval
 - Reproposal of Substantively Different Text:
 - : Md. R
 - (vol.) (issue) (page nos) (date)
- Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

- Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.
- OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Kimberly Shearin, Assistant Attorney General, (telephone #410-767-7726) on 10/10/2014. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Andrea Shuck

Title

Regulations Coordinator

Telephone No.

410-767-7193

Date

10/20/2014

Title 07
DEPARTMENT OF HUMAN RESOURCES
Subtitle 03 FAMILY INVESTMENT ADMINISTRATION

07.03.17 Food Supplement Program

Authority: Human Services Article, §5-207, 5-501, and 5-604 State Government Article, §8-206; Annotated Code of Maryland Federal Regulatory Reference—7 CFR §271—274

Notice of Proposed Action

[]

The Secretary of the Department of Human Resources proposes to amend regulation 07.03.17.30,.32,.39 to correct references to incorrect regulations.

Statement of Purpose

The purpose of this action is to make technical changes that delete references to obsolete regulations and terminology.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Andrea Shuck, Regulations Coordinator, Department of Human Resources, 311 West Saratoga Street #270, or call 410-767-7193, or email to Andrea.Shuck@Maryland.gov, or fax to 410-333-0637. Comments will be accepted through 01/26/2014. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2015

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:
federal funds

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

These changes only clean up existing regulations that are incorrect. One refers to a non-existent regulation and the other refers to an incorrect regulation. We are also correcting a regulation that refers to the Food Stamp Program and not the Food Supplement Program.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

Same as above.

G. Small Business Worksheet:

There is no impact on small business.

Attached Document:

07.03.17.30 7-31-14

.30 Income.

A. (text unchanged)

B. Earned income includes:

(1)—(3) (text unchanged)

(4) Payments under Title I of the Domestic Services Act of 1973, such as the Volunteer in Service to America (VISTA) program when the individual was not receiving [food stamps] *food supplement* or public assistance at the time of entry into the volunteer program.

C. Unearned income includes:

(1)—(5) (text unchanged)

(6) Foster care and subsidized guardianship payments only if the household chooses to include the foster care individual in the food [stamp] *supplement* household;

(7)—(14) (text unchanged)

D. (text unchanged)

07.03.17.32

.32 Earned Income and Self-Employment Deductions.

A. Earned Income Deduction. The local department:

(1) Shall allow a deduction from income in the amount of 20 percent of any gross earned income; and

(2) May not include in the calculation of the earned income deduction any earnings excluded under Regulation [.30D] .39B of this chapter.

B. The local department shall allow a deduction from self-employment income as described in Regulation [.39C and D] 39B of this chapter.

07.03.17.39

.39 Self-Employment Income.

A. Calculation. The local department shall:

(1)—(4) (text unchanged)

B. Deduction. [With the exception of farmers as described in §C of this regulation, the] *The* local department shall allow a deduction of 30 percent of the gross receipts of self-employment income as the cost of producing income, *with the exception of the self-employment of farmers as described in §C of this regulation.*

C. Self-Employed Farmers.

(1)—(2) (text unchanged)

