

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

**John Thurston**

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency \_\_\_\_\_

Department \_\_\_\_\_

Contact \_\_\_\_\_ E-mail \_\_\_\_\_ Phone \_\_\_\_\_

Statutory Authority for Promulgating Rules \_\_\_\_\_

Rule Title: \_\_\_\_\_

### Intended Effective Date

(Check One)

Date

☐ Emergency (ACA 25-15-204) Legal Notice Published ..... \_\_\_\_\_

☐ 10 Days After Filing (ACA 25-15-204) Final Date for Public Comment ..... \_\_\_\_\_

☐ Other \_\_\_\_\_ Reviewed by Legislative Council ..... \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Adopted by State Agency ..... \_\_\_\_\_

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

*Mary Franklin*

Signature

Phone Number

E-mail Address

Title

Date

## 3622 Provider Determination

SNAP Manual 01/01/2024

A provider determination is when an E&T provider determines that an E&T participant is not appropriate or is ill-suited for a particular E&T component. Only the E&T provider has the authority to determine if an individual is ill-suited for the E&T component from the time an individual is referred to an E&T component until completion of the component.

The State agency is responsible for ensuring all E&T providers are informed of their authority and responsibility to determine if an individual is ill-suited for a particular E&T component. Such determinations shall be referred to as provider determinations. The E&T provider must notify the State agency of the provider determination within ten (10) days of the date the determination is made. This notification must include the reason for the provider determination. If an E&T provider finds an individual is ill-suited for one (1) component offered by the E&T provider, the provider may switch the individual to another component and inform the agency of the new component without need for the agency to act further on the determination.

The E&T provider may also provide input on the most appropriate next step for the individual with a provider determination. If the State agency is unable to obtain the reason for the provider determination from the E&T provider, the agency must continue to act on the provider determination.

### 3622.1 County Office Responsibilities

SNAP Manual 01/01/2024

When the agency receives notification that an individual has received a provider determination, and the individual is not exempt from the work requirement, the agency must:

- Notify the E&T participant, within ten (10) days of receiving notification from the E&T provider, of the provider determination. This notification will:
  - Explain what provider determination is.
  - Explain that the individual is not being sanctioned as a result of the provider determination.
- Re-screen the individual for participation in the SNAP E&T program.
- Provide the individual information about workforce partnerships.
- Reassess the individual for any mental or physical impairments.
  - If the individual is found to be physically or mentally unfit, the individual will be exempt from the work requirement.

If the participant is an able-bodied adult without dependents and has received a provider determination, the individual must be notified that they will accrue countable months toward their three (3) month participation time limit. The months will begin to accrue the next full benefit month after the month during which the participant has been notified of the provider determination, unless the individual fulfills the work requirements, has good cause, or is otherwise exempt.

The participant may be notified verbally or in writing, and the eligibility worker must document when the notification occurs in the participant's case file.