

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State  
John Thurston  
500 Woodlane Street, Suite 026  
Little Rock, Arkansas 72201-1094  
(501) 682-5070  
[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

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

Contact Phone \_\_\_\_\_

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Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_

Location and Time of Public Meeting \_\_\_\_\_

**FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY.**

**DEPARTMENT** \_\_\_\_\_  
**BOARD/COMMISSION** \_\_\_\_\_  
**PERSON COMPLETING THIS STATEMENT** \_\_\_\_\_  
**TELEPHONE NO.** \_\_\_\_\_ **EMAIL** \_\_\_\_\_

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

**TITLE OF THIS RULE** \_\_\_\_\_

1. Does this proposed, amended, or repealed rule have a financial impact?  
Yes                      No
  
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?  
Yes                      No
  
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes                      No

If no, please explain:

(a) how the additional benefits of the more costly rule justify its additional cost;

(b) the reason for adoption of the more costly rule;

(c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency's statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:  
(a) What is the cost to implement the federal rule or regulation?

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
 Federal Funds \_\_\_\_\_  
 Cash Funds \_\_\_\_\_  
 Special Revenue \_\_\_\_\_  
 Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
 Federal Funds \_\_\_\_\_  
 Cash Funds \_\_\_\_\_  
 Special Revenue \_\_\_\_\_  
 Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

(b) What is the additional cost of the state rule?

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
 Federal Funds \_\_\_\_\_  
 Cash Funds \_\_\_\_\_  
 Special Revenue \_\_\_\_\_  
 Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
 Federal Funds \_\_\_\_\_  
 Cash Funds \_\_\_\_\_  
 Special Revenue \_\_\_\_\_  
 Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

**Current Fiscal Year**

\$ \_\_\_\_\_

**Next Fiscal Year**

\$ \_\_\_\_\_

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

**Current Fiscal Year**

\$ \_\_\_\_\_

**Next Fiscal Year**

\$ \_\_\_\_\_

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes      No

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
  - (a) justifies the agency's need for the proposed rule; and
  - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
  - (a) the rule is achieving the statutory objectives;
  - (b) the benefits of the rule continue to justify its costs; and
  - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

**Supplemental Nutrition Assistance Program (SNAP)  
updates pursuant to Act 675 of 2023**

**Statement of Necessity:**

This rule adds a Broad Based Categorical Eligible definition and updates resource limits to five thousand five hundred dollars (\$5,500) for Supplemental Nutrition Assistance Program (SNAP) households in compliance with ACT 675 of 2023.

**Summary:**

A new section regarding Broad Based Categorical Eligibility is added to sections 1919 and 4300 of the SNAP certification manuals providing that it applies to all SNAP households that receive non-cash Temporary Assistance for Needy Families (TANF) or Maintenance of Effort benefit. This allows the resource limit for all households to be increased to five thousand five hundred dollars (\$5,500) (See Appendix D). This increase is permitted for a twelve (12) month period and can only be granted once every five (5) years. After the twelve (12) month period has been exhausted the standard resource amounts will apply.”

Section 12233 is updated to delete the resource limits and instead to reference Appendix D. This allows for easier updates to resource amounts in the future. Correspondingly, Appendix D is updated to reflect the resource amount for Broad Based Categorical Eligibility as detailed in section 1919 and 4300.



**Office of Policy and Rules**

P.O. Box 1437, Slot S295, Little Rock, AR 72203-1437

P: 501.320.6383 F: 501.404.4619

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April 11, 2025

Mrs. Rebecca Miller-Rice  
Administrative Rules Review Section  
Arkansas Legislative Council  
Bureau of Legislative Research  
#1 Capitol, 5<sup>th</sup> Floor  
Little Rock, AR 72201

Dear Mrs. Rebecca Miller-Rice:

**Re: Proposed Filing - Supplemental Nutrition Assistance Program updates pursuant to Act 675 of 2023**

Please arrange for this rule to be reviewed by the ALC-Administrative Rules Subcommittee. If you have any questions or need additional information, please contact me at 501-320-6383 or by emailing [Mac.E.Golden@dhs.arkansas.gov](mailto:Mac.E.Golden@dhs.arkansas.gov).

Sincerely,

*Mac Golden*

Mac Golden  
Deputy Chief

Attachments

# SNAP CERTIFICATION MANUAL – SECTION 1000

## 1900 Classifying Households

### 1910 Aged/Disabled Households

## 1900 Classifying Households

SNAP Manual 06/15/98

Households will be classified in accordance with the provisions of this section.

## 1910 Aged/Disabled Household

SNAP Manual ~~02/01/2007~~/01/2025

An aged/disabled household contains at least one (1) member who is age sixty (60) or over or is disabled as defined in the Glossary under “Aged/Disabled”. The household member who is aged or disabled is entitled to a medical deduction as provided in SNAP 6500. Households with an aged/disabled member are entitled to unlimited excess shelter costs. They are not subject to the gross income pretest but must meet the net income standards. See SNAP 7600 for an explanation of net income eligibility.

## 1919 Broad Based Categorically Eligible Household

SNAP Manual 07/01/2025

Broad Based Categorically Eligibility applies to all SNAP households that receive a non-cash TANF or –Maintenance of Effort benefit (See Appendix AA for BBCE information).– This allows the resource limit for all households to be increased (See Appendix D). This increase is permitted for a twelve (12)- month period and can only be granted once every five (5) years. After the twelve (12)- month period has been exhausted the standard resource amounts will apply.

## 1920 Categorically Eligible Household

SNAP Manual ~~6/01/1807~~/01/2025

A categorically eligible household is any household in which all members receive (or are authorized to receive) Supplemental Security Income (SSI) or at least one (1) member receives (or is authorized to receive) a Transitional Employment Assistance (TEA) benefit as defined in SNAP 1920.2. “Authorized to receive” means that an individual has been determined eligible for benefits and has been notified of this determination even though the benefits have not yet been received. The fact that TEA or SSI benefits have been suspended, recouped, or are less than the minimum amount paid will have no impact on a determination of categorical eligibility.

No household may be classified as a categorically eligible household if:

1. The entire household is institutionalized, and the institution is not listed at SNAP 1800 as an institution where residents may participate in the Supplemental Nutrition Assistance Program.  
OR
2. Any member of the household is disqualified for an intentional program violation as

# SNAP CERTIFICATION MANUAL – SECTION 1000

## 1900 Classifying Households

### 1910 Aged/Disabled Households

defined in SNAP 16600 and SNAP 16800.

No household member will be included as an eligible member of a categorically eligible household if that member is:

- An eligible alien as defined in SNAP 1621.
- An eligible student as defined in SNAP 1622.2.
- Disqualified for failure to comply with a work registration requirement as defined in SNAP 3400.



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SNAP Manual 07/01/2025

An aged/disabled household contains at least one (1) member who is age sixty (60) or over or is disabled as defined in the Glossary under "[Aged/Disabled](#)". The household member who is aged or disabled is entitled to a medical deduction as provided in SNAP 6500. Households with an aged/disabled member are entitled to unlimited excess shelter costs. They are not subject to the gross income pretest but must meet the net income standards. See SNAP 7600 for an explanation of net income eligibility.

## 1919 Broad Based Categorically Eligible Household

SNAP Manual 07/01/2025

Broad Based Categorically Eligibility applies to all SNAP households that receive a non-cash TANF or Maintenance of Effort benefit (See Appendix AA for BBCE information). This allows the resource limit for all households to be increased (See Appendix D). This increase is permitted for a twelve (12) month period and can only be granted once every five (5) years. After the twelve (12) month period has been exhausted the standard resource amounts will apply.

## 1920 Categorically Eligible Household

SNAP Manual 07/01/2025

A categorically eligible household is any household in which all members receive (or are authorized to receive) Supplemental Security Income (SSI) or at least one (1) member receives (or is authorized to receive) a Transitional Employment Assistance (TEA) benefit as defined in SNAP 1920.2. "Authorized to receive" means that an individual has been determined eligible for benefits and has been notified of this determination even though the benefits have not yet been received. The fact that TEA or SSI benefits have been suspended, recouped, or are less than the minimum amount paid will have no impact on a determination of categorical eligibility.

No household may be classified as a categorically eligible household if:

1. The entire household is institutionalized, and the institution is not listed at SNAP 1800 as an institution where residents may participate in the Supplemental Nutrition Assistance Program.  
OR
2. Any member of the household is disqualified for an intentional program violation as defined in [SNAP 16600](#) and SNAP 16800.

# SNAP CERTIFICATION MANUAL – SECTION 1000

## 1900 Classifying Households

### 1910 Aged/Disabled Households

No household member will be included as an eligible member of a categorically eligible household if that member is:

- An eligible alien as defined in SNAP 1621.
- An eligible student as defined in SNAP 1622.2.
- Disqualified for failure to comply with a work registration requirement as defined in SNAP 3400.

Proposed

# SNAP CERTIFICATION MANUAL –SECTION 4000

## 2B4300 Resource Eligibility Standards

### ~~9B~~4310 Uniform Resource Standards

## 4300 Resource Eligibility Standards

SNAP Manual ~~04/01/2024~~07/01/2025

A household's eligibility will be denied or terminated when the value of the household's countable resources (both liquid and non-liquid assets) exceeds the limit for all households regardless of household size, including households with an individual with disabilities (see glossary definition of sixty (60) years of age or older individuals with disabilities households).

The household is classified as categorically eligible if all household members receive SSI benefits or a combination of TANF and SSI. A combined household of SSI recipients and non- SSI recipients cannot be classified as categorically eligible. However, the individual household members who receive SSI benefits are categorically eligible. This means that any resources owned solely by an SSI recipient are not to be counted when the household's total resources are determined, but all resources owned by the other household members are to be counted. If the resources owned by household members, who do not receive SSI, exceed the resource limit, then the entire household (including the SSI recipient) is ineligible to participate in the Supplemental Nutrition Assistance Program. Co-owned resources will not automatically be excluded under this policy. Instead, the resource will be handled in the same manner as any other jointly owned resource. Please see Appendix D for current resource limits for Regular and Age/Disabled households.

Broad Based Categorical Eligibility applies to all SNAP households that receive a non-cash TANF- or -Maintenance of Effort benefit- (See Appendix AA for BBCE information). This allows the resource limit for all households to be increased (See Appendix D). This increase is permitted for a twelve (12)- month period and can only be granted once every five (5) years. After the twelve (12)- month period has been exhausted the standard resource amounts will apply.

# SNAP CERTIFICATION MANUAL –SECTION 4000

## 4300 Resource Eligibility Standards

### 4310 Uniform Resource Standards

## 4300 Resource Eligibility Standards

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SNAP Manual 07/01/2025

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Broad Based Categorically Eligibility applies to all SNAP households that receive a non-cash TANF or Maintenance of Effort benefit (See Appendix AA for BBCE information). This allows the resource limit for all households to be increased (See Appendix D). This increase is permitted for a twelve (12) month period and can only be granted once every five (5) years. After the twelve (12) month period has been exhausted the standard resource amounts will apply.

## SNAP CERTIFICATION MANUAL – SECTION 1000

### 12200 Changes Reported by the Household

## ~~SNAP CERTIFICATION MANUAL – SECTION 12000~~

### ~~12200 Changes Reported by the Household~~

### ~~12240 Income Changes~~33 Actions to Take to Change a Resource

## 12233 Actions to Take to Change a Resource

SNAP MANUAL ~~02/01/18~~07/01/2025

### Vehicles

1. Determine the countable value of the new vehicle (see [SNAP 4800 - 4841](#)).
2. If the vehicle has any countable value, add this figure to the existing resources. If applicable, subtract the countable value of the vehicle used as the “trade-in.”
3. Compare the household’s total countable resources to the applicable resource limits (see [SNAP 4300 - 4310](#)).
4. If the household’s total countable resources are less than the limits, the household continues to be eligible. If not, close the case.

### Liquid Resources

If the household’s liquid resources exceed the applicable limit ([See Appendix D](#)) ~~(\$2,250 for regular households or \$3,500 for age 60 or older/individuals with disabilities households)~~, the case will be closed unless the household is categorically eligible.

#### 12233 Actions to Take to Change a Resource

SNAP MANUAL 07/01/2025

##### Vehicles

1. Determine the countable value of the new vehicle (see [SNAP 4800 - 4841](#)).
2. If the vehicle has any countable value, add this figure to the existing resources. If applicable, subtract the countable value of the vehicle used as the “trade-in.”
3. Compare the household’s total countable resources to the applicable resource limits (see [SNAP 4300 - 4310](#)).
4. If the household’s total countable resources are less than the limits, the household continues to be eligible. If not, close the case.

##### Liquid Resources

If the household’s liquid resources exceed the applicable limit (See Appendix D), the case will be closed unless the household is categorically eligible.

Appendix D  
is included for  
reference only  
**this is not being  
promulgated.**

## **Appendix D: Current Standards**

### **Current Standard Deductions**

<b>Type of Deduction</b>		<b>Amount</b>	<b>Effective Date</b>
1. Earned Income		<b>20%</b>	05-01-86
2. Standard Deduction (Based on household size)	Household size 1	<b>\$204</b>	10-01-24
	Household size 2	<b>\$204</b>	
	Household size 3	<b>\$204</b>	
	Household size 4	<b>\$217</b>	
	Household size 5	<b>\$254</b>	10-01-24
	Household size 6 and	<b>\$291</b>	10-01-24
3. Standard Utility Allowance (SUA)		<b>\$333</b>	10-01-24
4. Maximum Excess Shelter		<b>\$712</b>	10-01-24
5. Standard Medical Deduction (SMD)		<b>\$190</b>	10-01-24
6. Basic Utility Allowance (BUA)		<b>\$267</b>	10-01-24
7. Homeless Living Allowance (HLA)		<b>\$190.30</b>	10-01-24
8. Telephone Standard		<b>\$50</b>	01-01-21

### **Current SSI Maximum Payments**

<b>Type of Payment</b>	<b>Amount</b>	<b>Effective Date</b>
SSI Only – Individual	<b>\$943</b>	01-01-24
SSI Only – Couple	<b>\$1415</b>	01-01-24

**Current Medicare Premium (Part B Only):** \$174.70

**Current Medicare Premium (Part D Only):** \$34.70

#### **Resource Limits: Household Type and Maximum Amount:**

All Households five thousand five hundred (\$5,500) for twelve (12) months (after twelve (12) months, see amounts below)**
Households with at least one (1) member who is age sixty (60) or older or is disabled four thousand five hundred dollars (\$4,500)
All other households three thousand dollars (\$3,000)

\*The Asset limit for elderly or disabled household who serves as the threshold for substantial lottery or gambling winnings.

\*\* five thousand five hundred dollars (\$5,500) resource limit can only be given for twelve (12) months in a five (5) year period.



State of Arkansas                      *As Engrossed: S3/15/23 H3/29/23*  
94th General Assembly  
Regular Session, 2023

# A Bill

SENATE BILL 306

By: Senators J. Dismang, C. Tucker  
*By: Representatives Vaught, McCullough*

## For An Act To Be Entitled

AN ACT TO AMEND THE ASSET LIMITS FOR THE SUPPLEMENTAL  
NUTRITION ASSISTANCE PROGRAM; TO ALLOW FOR AN  
ADJUSTMENT TO THE ASSET LIMIT BASED UPON INFLATION;  
TO INCLUDE AN AUTOMATIC INFLATION ADJUSTMENT; TO  
DIRECT THE DEPARTMENT OF HUMAN SERVICES TO REQUEST A  
BROAD-BASED CATEGORICAL ELIGIBILITY WAIVER; AND FOR  
OTHER PURPOSES.

## Subtitle

TO AMEND THE ASSET LIMITS FOR THE  
SUPPLEMENTAL NUTRITION ASSISTANCE  
PROGRAM; AND TO DIRECT THE DEPARTMENT OF  
HUMAN SERVICES TO REQUEST A BROAD-BASED  
CATEGORICAL ELIGIBILITY WAIVER.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-76-115 is amended to read as follows:

20-76-115. ~~Federal resource~~ Resource limits for Supplemental Nutrition  
Assistance Program ~~— Resource limit waiver.~~

(a) ~~Unless required by federal law,~~

~~(1) The resource limit standards of the Supplemental Nutrition  
Assistance Program shall not exceed the standards specified in 7 U.S.C. §  
2014(g)(1); and~~

~~(2) Categorical eligibility that exempts households from the  
federal resource limit standards shall not be granted for any noncash, in-~~



1 ~~kind, or other benefit.~~

2 ~~(b)~~ Unless required by federal law, the Department of Human Services  
3 shall not:

4 (1) Apply gross income standards for food assistance higher than  
5 the standards specified in 7 U.S.C. § 2014(c); or

6 (2) Grant categorical eligibility that exempts households from  
7 the gross income standard under subdivision ~~(b)(1)~~ (a)(1) of this section for  
8 any noncash, in-kind, or other benefit unless a waiver is obtained under  
9 subsection (b) of this section.

10 (b)(1)(A) The Department of Human Services shall request a waiver from  
11 the United States Department of Agriculture to exempt Supplemental Nutrition  
12 Assistance Program enrollees from the federal resource limit, subject to the  
13 asset limits under subdivision (b)(2) of this section.

14 (B) The Department of Human Services may request a broad-  
15 based categorical eligibility waiver from the United States Department of  
16 Agriculture if a waiver is necessary to implement the asset limits under  
17 subdivision (b)(2) of this section.

18 (2) Upon the Department of Human Services obtaining the waiver  
19 requested under subdivision (b)(1) of this section:

20 (A) The asset limit under the program shall be equal to  
21 the federal resource limit;

22 (B)(i) If an enrolled household is determined by the  
23 Department of Human Services to have accumulated countable assets greater  
24 than the federal resource limit, the Department of Human Services shall grant  
25 a temporary increase of the asset limit for that household to an amount set  
26 by the Department of Human Services by rule for a period of up to one (1)  
27 year.

28 (ii) The Department of Human Services shall set the  
29 temporary asset limit at five thousand five hundred dollars (\$5,500) and may  
30 seek waiver approval from the United States Department of Agriculture to  
31 modify that amount to correspond with future changes in the federal resource  
32 limit; and

33 (C) An enrolled household may receive a temporary increase  
34 of the asset limit no more than one (1) time every five (5) years.

35  
36 APPROVED: 4/11/23