

## CHAPTER 851

### GENERAL PROVISIONS

#### **§3101. Investigation of system of public charities**

The Department of Health and Human Services shall investigate and inspect the whole system of public charities in the State which derive their support wholly or in part from state, county or municipal appropriations but not including any institution of a purely educational or industrial nature. [PL 1975, c. 293, §4 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

#### SECTION HISTORY

PL 1975, c. 293, §4 (AMD). PL 2003, c. 689, §B6 (REV).

#### **§3102. Transfer of paupers and public assistance recipients between states**

The department shall have authority to enter into reciprocal agreements with corresponding agencies of other states, and to arrange with their local or county boards for the acceptance, transfer and support of persons going from one state to another and becoming public charges and to continue payments of public assistance until eligibility to receive assistance under a similar program has been established in the other state and the first payment from the other state has been received by such recipient. Such reciprocal agreements shall in no way commit the State to support persons who are not, in the opinion of the department, entitled to support under the laws of this State.

#### **§3103. Information upon request**

The commissioner shall give to the Governor or to the Legislature or any committee thereof at any time upon their request information and advice with reference to any charitable or correctional institution about which the commissioner has information. The officers in charge of any institution of a charitable or correctional nature under the inspection of the department and local boards or committees having any powers or duties relative to the management of the institution, and those who are in any way responsible for the administration of public funds used for the relief or maintenance of the poor, shall furnish to the department such information and statistics as may be demanded on such forms as the department may consider necessary to secure uniformity and accuracy in the statements. [RR 2021, c. 2, Pt. B, §153 (COR).]

#### SECTION HISTORY

PL 1975, c. 771, §223 (AMD). RR 2021, c. 2, Pt. B, §153 (COR).

#### **§3104. Statewide Supplemental Nutrition Assistance Program**

##### **1. Program required.** The department shall:

A. Administer a statewide program, referred to in this chapter as "the Supplemental Nutrition Assistance Program," or "SNAP," in accordance with the related requirements and regulations of the United States Department of Agriculture, the United States Department of Health and Human Services and the United States Department of Education; and [PL 2021, c. 398, Pt. OO, §6 (AMD).]

B. Cooperate with and participate in the administration of food distribution programs in conformity with regulations promulgated by the United States Department of Agriculture. [PL 1977, c. 462 (NEW).]

[PL 2021, c. 398, Pt. OO, §6 (AMD).]

##### **2. Costs.**

[PL 1981, c. 703, Pt. A, §21 (RP).]

### 3. Authorization of emergency food stamp benefits prior to full verification.

[PL 2009, c. 291, §2 (RP).]

**3-A. Authorization of emergency SNAP benefits prior to full verification.** Whenever an applicant for benefits under the Supplemental Nutrition Assistance Program states to the department that the applicant is in need of immediate food assistance, the department shall, pending verification, issue and mail an electronic benefits transfer card authorizing the applicant to purchase food at the time of the department's initial interview with the applicant or within one working day of the interview, as long as all of the following conditions are met.

A. As a result of the initial interview with the applicant, the department must have determined that the household of the applicant will probably be eligible for SNAP benefits after full verification is completed. [PL 2021, c. 398, Pt. OO, §7 (AMD).]

B. When possible, the applicant shall submit to the department, at the time of the initial interview, adequate documentation to verify that the applicant is in need of immediate food assistance. [PL 2009, c. 291, §2 (NEW).]

C. When adequate documentation is not available at the time of the initial interview, the department shall contact at least one other person for the purpose of obtaining information to confirm the applicant's statements about the applicant's need for immediate food assistance. [PL 2009, c. 291, §2 (NEW).]

The authorization to receive SNAP benefits under this section may not exceed 30 days from the date that the applicant receives the authorizing card. Additional SNAP benefits may not be issued to the applicant's household until full verification has been obtained that confirms the eligibility of the household.

[PL 2021, c. 398, Pt. OO, §7 (AMD).]

### 4. Mail issuance of coupons.

[PL 2009, c. 291, §2 (RP).]

**4-A. Electronic benefits transfer system.** The department shall operate a system of issuance of food allotments through an electronic benefits transfer system as authorized by and in conformity with regulations promulgated by the United States Department of Agriculture.

[PL 2009, c. 291, §2 (NEW).]

**5. Outreach.** It is the intent of the Legislature that the department fully carry out all outreach activities established by federal regulation to encourage the participation of all eligible households.

In carrying out its outreach activities, the department shall insure that all applicants and recipients are informed of their right to have the requirement for a face-to-face interview waived as provided by federal regulations.

[PL 1979, c. 386 (NEW).]

### 6. Bilingual requirements.

[PL 2009, c. 291, §2 (RP).]

**7. Verification of information.** The department shall establish and implement uniform verification procedures that will be applied to all applicants and recipients.

[PL 1979, c. 386 (NEW).]

**8. Certification periods.** Households must be certified for a 12-month period unless there is a likelihood of change in income or household status.

[PL 2009, c. 291, §2 (AMD).]

**9. Information on notice to recipients.** All notices of denial, reduction of benefits, termination of benefits, fraud claims, nonfraud claims or other actions must contain information on the appeal

procedure, and the availability of free legal representation in the geographic area and must include, at a minimum, the address and telephone number for these services.

[PL 2009, c. 291, §2 (AMD).]

**10. Supplemental monthly issuance.** Whenever a household receiving benefits through the Supplemental Nutrition Assistance Program informs the department of a change in circumstances that will result in an increase in its SNAP benefit, the department shall issue a supplemental allotment to that household for the month in which the change is reported. The supplemental allotment must represent the difference between the amount for which the household was originally certified in that month and the amount for which it is actually eligible as a result of its reported change in circumstances.

The department shall issue that supplemental allotment within 5 working days of the date that the change in circumstances was reported.

[PL 2021, c. 398, Pt. OO, §8 (AMD).]

**11. Supplemental Nutrition Assistance Program overpayment recovery.** The Food Supplement Administration account is established as a nonlapsing Other Special Revenue Funds account in the Department of Health and Human Services, Food Supplement Administration program. Any allowable portion of money, as determined pursuant to federal law, recovered by the department as a result of the overpayment of SNAP benefits must be deposited into the Other Special Revenue Funds, Food Supplement Administration account.

[PL 2021, c. 398, Pt. OO, §9 (AMD).]

**12. Penalty.** The unauthorized issuance, redemption, use, transfer, acquisition, alteration or possession of coupons or other program access device, including an electronic benefits transfer card, may subject an individual, partnership, corporation or other legal entity to prosecution by the State in accordance with Sections 15 (b) and 15 (c) of the federal Food Stamp Act of 1977 and the federal Food and Nutrition Act of 2008. Penalties are in accordance with those outlined in federal law or regulations. A person who knowingly engages in trafficking in benefits as defined by 7 Code of Federal Regulations, Section 271.2 commits a Class D crime.

[PL 2011, c. 687, §10 (AMD).]

**13. Categorical eligibility.** The department shall adopt rules that maximize access to the Supplemental Nutrition Assistance Program for households in which there is a child who would be a dependent child under the Temporary Assistance for Needy Families program but that do not receive a monthly cash assistance grant from the Temporary Assistance for Needy Families program. Under rules adopted pursuant to this subsection, certain of these families must be authorized to receive referral services provided through the Temporary Assistance for Needy Families block grant and be categorically eligible for the Supplemental Nutrition Assistance Program in accordance with federal law. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2021, c. 398, Pt. OO, §10 (AMD).]

**14. Prohibition against denial of assistance based on drug conviction.** A person who is otherwise eligible to receive food assistance under the federal Food Stamp Act of 1977, 7 United States Code, Sections 2011 to 2036 and under the federal Food and Nutrition Act of 2008 may not be denied assistance because the person has been convicted of a drug-related felony as described in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, Section 115, 110 Stat. 2105.

[PL 2009, c. 291, §2 (AMD).]

**15. Certain felons convicted of violent crimes and sexual assault ineligible.** An individual who is convicted in any jurisdiction on or after January 1, 2018 under federal or state law of aggravated sexual abuse under 18 United States Code, Section 2241; murder under 18 United States Code, Section 1111; an offense under 18 United States Code, Chapter 110; a federal or state offense involving sexual

assault, as defined in Section 40002(a) of the federal Violence Against Women Act of 1994, 42 United States Code, Section 13925(a); or an offense under a law of this State that is substantially similar to a federal offense described in this subsection and who is not in compliance with the terms of the individual's sentence, parole or probation or is a fleeing felon is ineligible to receive food assistance through the Supplemental Nutrition Assistance Program.

[PL 2021, c. 398, Pt. OO, §11 (AMD).]

**16. Certain lottery and gambling winners ineligible.** A household receiving food assistance through the Supplemental Nutrition Assistance Program may be denied food assistance as described in this subsection.

A. Gross lottery and gambling winnings equal to or greater than the maximum allowable financial resource limit for elderly or disabled households, as provided in federal regulations governing SNAP, won in a single game disqualifies the household from receiving food assistance through the Supplemental Nutrition Assistance Program until financial eligibility guidelines set forth in department rule are met. [PL 2023, c. 501, §1 (AMD).]

B. The department shall enter into an agreement with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, pursuant to which the bureau shall provide the department with reports no less than monthly to assist the department in determining whether a recipient of SNAP benefits has received lottery and gambling winnings equal to or greater than the maximum allowable financial resource limit for elderly or disabled households, as provided in federal regulations governing SNAP. [PL 2023, c. 501, §1 (AMD).]  
[PL 2023, c. 501, §1 (AMD).]

**17. Preenrollment for persons released from a correctional facility.** The department shall apply for and implement a waiver pursuant to 7 Code of Federal Regulations, Part 273 to promote streamlined and timely access to SNAP benefits for a person who is being released from incarceration. The waiver must:

A. Serve a person who is incarcerated in any state or county correctional facility and who, upon the person's release, is not entering a household that is receiving SNAP benefits; [PL 2021, c. 398, Pt. OO, §13 (AMD).]

B. Permit a person described in paragraph A to submit an application for SNAP benefits sufficiently in advance of the person's release date to ensure the availability of benefits on that date; and [PL 2021, c. 398, Pt. OO, §13 (AMD).]

C. Establish that the release date of a person described in paragraph A is the first day the person is eligible for SNAP benefits. [PL 2021, c. 398, Pt. OO, §13 (AMD).]

[PL 2021, c. 398, Pt. OO, §13 (AMD).]

#### SECTION HISTORY

PL 1971, c. 463, §1 (RPR). PL 1973, c. 183 (AMD). PL 1973, c. 314 (AMD). PL 1973, c. 674, §1 (RPR). PL 1975, c. 293, §4 (AMD). PL 1977, c. 462 (RPR). PL 1979, c. 386 (AMD). PL 1981, c. 136 (AMD). PL 1981, c. 703, §A21 (AMD). PL 1991, c. 9, §K1 (AMD). RR 1993, c. 2, §14 (COR). PL 1995, c. 418, §A4 (AMD). PL 1999, c. 637, §1 (AMD). PL 2001, c. 598, §1 (AMD). PL 2009, c. 291, §2 (AMD). PL 2011, c. 687, §10 (AMD). RR 2015, c. 1, §20 (COR). PL 2017, c. 284, Pt. NNNNNNN, §8 (AMD). PL 2019, c. 343, Pt. HHHH, §1 (AMD). PL 2019, c. 492, §1 (AMD). PL 2021, c. 398, Pt. OO, §§5-13 (AMD). PL 2023, c. 501, §1 (AMD).

#### §3104-A. Supplemental Nutrition Assistance Program for legal aliens

**1. Food assistance.** The department shall provide food assistance to households that would be eligible for assistance under the federal Food Stamp Act of 1977, 7 United States Code, Section 2011 et seq. and under the federal Food and Nutrition Act of 2008 but for provisions of Sections 401, 402

and 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 that are receiving food assistance under this subsection as of July 1, 2011. Any household receiving assistance as of that date may continue to receive assistance, as long as that household remains eligible, without regard to interruptions in coverage or gaps in eligibility for service. A noncitizen legally admitted to the United States who is neither receiving assistance on July 1, 2011 nor has an application pending for assistance on July 1, 2011 that is later approved is not eligible for food assistance through a state-funded program unless that noncitizen is:

A. Elderly or disabled, as described under the laws governing supplemental security income in 42 United States Code, Sections 1381 to 1383f (2010); [PL 2011, c. 380, Pt. KK, §1 (NEW).]

B. A victim of domestic violence; [PL 2013, c. 368, Pt. OO, §1 (AMD).]

C. Experiencing other hardship, such as time necessary to obtain proper work documentation, as defined by the department by rule. Rules adopted by the department under this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A; or [PL 2013, c. 368, Pt. OO, §1 (AMD).]

D. Unemployed but has obtained proper work documentation, as defined by the department by rule. Rules adopted by the department under this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. [PL 2013, c. 368, Pt. OO, §2 (NEW).]

[PL 2013, c. 368, Pt. OO, §§1, 2 (AMD).]

**2. Amount of assistance.** The total amount of food assistance provided under this section must equal the amount that the household would be eligible to receive under the federal Food Stamp Act of 1977, 7 United States Code, Sections 2014 and 2017 and under the federal Food and Nutrition Act of 2008 if the household were eligible for either of those programs.

[PL 2009, c. 291, §3 (AMD).]

**3. Administration.** The department shall provide assistance under this section to eligible households on a monthly basis through an electronic benefit transfer system.

[PL 2009, c. 291, §3 (AMD).]

**4. Repeal.**

[PL 1999, c. 401, Pt. S, §2 (RP).]

**SECTION HISTORY**

PL 1997, c. 731, §1 (NEW). PL 1997, c. 731, §3 (AFF). PL 1999, c. 401, §S2 (AMD). PL 2009, c. 291, §3 (AMD). PL 2011, c. 380, Pt. KK, §1 (AMD). PL 2013, c. 368, Pt. OO, §§1, 2 (AMD). PL 2021, c. 398, Pt. OO, §14 (AMD).

**§3105. Vocational rehabilitation**

**(REPEALED)**

**SECTION HISTORY**

PL 1975, c. 771, §224 (AMD). PL 1977, c. 78, §149 (AMD). PL 1989, c. 700, §A78 (AMD). PL 1993, c. 708, §F2 (RP).

**§3106. Telephone subsidies**

The department may participate in the determination of eligibility for various subsidies of telephone costs for low-income people as established by the Public Utilities Commission pursuant to Title 35-A, section 7101. [PL 1987, c. 856, §1 (NEW).]

**SECTION HISTORY**

PL 1987, c. 856, §1 (NEW).

**§3107. Women, Infants and Children Special Supplemental Food Program vendor, provider and participant penalties**

The department, as part of its administration of the Women, Infants and Children Special Supplemental Food Program of the federal Child Nutrition Act of 1966, referred to in this section as "the program," shall adopt rules defining prohibited conduct under the program and establishing penalties for such conduct and as necessary to implement this section. After providing an opportunity for a hearing in accordance with Title 5, chapter 375, subchapter 4, 7 Code of Federal Regulations, Section 246.9 (2011), 7 Code of Federal Regulations, Section 246.18 (2011) and any other federal law that applies to adjudicatory proceedings for vendors, providers and participants and making a determination that the affected party has violated a provision of the program, including rules that apply to the program, the department may: [PL 2011, c. 512, §2 (RPR).]

**1. Vendors.** Assess and impose a fine or penalty against a vendor under the program; [PL 2011, c. 512, §2 (NEW).]

**2. Providers.** Disqualify a local agency provider under the program; or [PL 2011, c. 512, §2 (NEW).]

**3. Participants.** Require repayment of benefits made under the program to a participant or disqualify a participant from program benefits. [PL 2011, c. 512, §2 (NEW).]

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2011, c. 512, §2 (NEW).]

**SECTION HISTORY**

PL 1989, c. 777 (NEW). PL 2011, c. 512, §2 (RPR).

**§3108. Standard utility allowance**

When the department becomes aware of any decisions made by a public entity or an entity operating a publicly subsidized assistance program that adversely impacts eligibility for, or the amount of assistance to, households receiving assistance under the Supplemental Nutrition Assistance Program pursuant to section 3104, the department shall work in cooperation with that entity to achieve a resolution that minimizes the adverse impact on households receiving SNAP benefits. [PL 2021, c. 398, Pt. OO, §15 (AMD).]

**1. Examination of options.** When federal law governing either the Supplemental Nutrition Assistance Program or the Low-Income Home Energy Assistance Program is amended to eliminate the eligibility link whereby the SNAP standard utility allowance is automatically available to households receiving low-income home energy assistance benefits, the department shall immediately:

A. Examine and, if feasible, seek a waiver or grant of demonstration authority from the federal Department of Agriculture to continue to use the SNAP standard utility allowance in determining the amount of SNAP benefits available to households that previously qualified for that allowance solely by reason of receipt of low-income home energy assistance benefits; [PL 2021, c. 398, Pt. OO, §15 (AMD).]

B. Determine, in cooperation with all appropriate entities operating publicly subsidized housing programs, a method of providing individualized bills or appropriate documentation for tenants in subsidized housing that would identify the tenants' shares of incurred heating costs, if doing so would qualify these tenants for the SNAP standard utility allowance; [PL 2021, c. 398, Pt. OO, §15 (AMD).]

C. Determine if federal law would permit the use of the standard utility allowance by households that previously qualified for that allowance solely on the basis of receipt of low-income home energy assistance benefits and implement that section of law if doing so would not result in any

increase in the households' rent and energy costs or any reduction in SNAP allotments to either those households or any other households receiving SNAP benefits; and [PL 2021, c. 398, Pt. OO, §15 (AMD).]

D. If none of the alternatives listed in paragraphs A to C result in making the SNAP standard utility allowance available to households that had received it before the change in federal law, immediately estimate the General Fund cost of providing allotments to affected households in an amount equal to the amount they would have received had the federal law not been amended, and promptly provide that information to the joint standing committee of the Legislature having jurisdiction over human resources matters. [PL 2021, c. 398, Pt. OO, §15 (AMD).]

[PL 2021, c. 398, Pt. OO, §15 (AMD).]

**2. Notice.** The department shall provide prompt written notice to households affected by any change in federal law related to the eligibility link between the Supplemental Nutrition Assistance Program and the Low-Income Energy Assistance Program, or by any waiver received pursuant to this section, of the steps that households may take to gain eligibility for the SNAP standard utility allowance.

[PL 2021, c. 398, Pt. OO, §15 (AMD).]

**3. Waiver.** The department shall immediately seek a waiver or demonstration authority to operate a demonstration project from the federal Department of Agriculture that would make the SNAP standard utility allowance available to households that incur a heating or cooling cost separate from their rent or mortgage, even if those bills are not based on actual usage as determined by individualized metering.

[PL 2021, c. 398, Pt. OO, §15 (AMD).]

**4. Revised waiver application.** When federal approval for the waiver or demonstration authority described in this section is not granted, the department may submit a revised waiver request to accomplish the objectives of this section as fully as possible.

[PL 1995, c. 629, §1 (NEW).]

**5. Limitation.** This section must be implemented within the limits of the department's existing General Fund resources.

[PL 1995, c. 629, §1 (NEW).]

## SECTION HISTORY

PL 1995, c. 629, §1 (NEW). PL 2021, c. 398, Pt. OO, §15 (AMD).

### **§3109. Promoting accountable public programs that reduce poverty, alleviate hardship and increase sustainable employment for low-income families with children**

The department shall implement a system of accountability to measure access to and the performance of certain programs administered by the department under this Subtitle to ensure that those programs are working effectively to improve the health and well-being of program participants. [PL 2019, c. 485, §1 (NEW).]

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Federal poverty level" has the same meaning as in section 3762, subsection 1, paragraph C. [PL 2019, c. 485, §1 (NEW).]

A-1. "ASPIRE-TANF" means the Additional Support for People in Retraining and Employment - Temporary Assistance for Needy Families program established in section 3781-A. [PL 2021, c. 648, §1 (NEW).]

B. "SNAP" means the federal supplemental nutrition assistance program administered by the State as the Supplemental Nutrition Assistance Program pursuant to section 3104. [PL 2021, c. 398, Pt. OO, §16 (AMD).]

C. "TANF" has the same meaning as in section 3762, subsection 1, paragraph E. [PL 2019, c. 485, §1 (NEW).]

D. "WIC" means the Women, Infants and Children Special Supplemental Food Program described in section 3107. [PL 2019, c. 485, §1 (NEW).]  
[PL 2021, c. 648, §1 (AMD).]

**2. Identify measures of child and family economic security.** Beginning January 15, 2023 and biennially thereafter, the department shall obtain and compile the following data for the State regarding child and family economic security from those sources reasonably available to the department, including, but not limited to, data collected and maintained by the department, data available from the Department of Labor and the Department of Administrative and Financial Services, Bureau of Revenue Services or other state or federal agencies and such other data as can reasonably be obtained from other public or private sources upon request. The data must include:

A. The ratio of families with children receiving TANF cash assistance to the number of families with children and income at or below 100% of the federal poverty level in the current year and in the previous 4 years; [PL 2019, c. 485, §1 (NEW).]

B. The percentage of children under 5 years of age receiving TANF cash assistance that also receive assistance from WIC in the current year and in the previous 4 years; [PL 2019, c. 485, §1 (NEW).]

C. The percentage of children under 5 years of age receiving SNAP benefits that also receive assistance from WIC in the current year and in the previous 4 years; [PL 2021, c. 398, Pt. OO, §17 (AMD).]

D. For all families for whom TANF cash assistance has terminated:

(1) The number and percentage of families with no quarterly earnings from unsubsidized employment:

(a) At the time participation in the program was terminated;

(b) During the 2nd quarter after participation in the program was terminated; and

(c) During the 4th quarter after participation in the program was terminated;

(2) The number and percentage of families with quarterly earnings from unsubsidized employment that are below 50% of the federal poverty level:

(a) At the time participation in the program was terminated;

(b) During the 2nd quarter after participation in the program was terminated; and

(c) During the 4th quarter after participation in the program was terminated;

(3) The number and percentage of families with quarterly earnings from unsubsidized employment that are at least 50% but below 100% of the federal poverty level:

(a) At the time participation in the program was terminated;

(b) During the 2nd quarter after participation in the program was terminated; and

(c) During the 4th quarter after participation in the program was terminated;

(4) The number and percentage of families with quarterly earnings from unsubsidized employment that are at least 100% but below 150% of the federal poverty level:

- (a) At the time participation in the program was terminated;
  - (b) During the 2nd quarter after participation in the program was terminated; and
  - (c) During the 4th quarter after participation in the program was terminated;
- (5) The number and percentage of families with quarterly earnings from unsubsidized employment that are at least 150% but below 200% of the federal poverty level:
- (a) At the time participation in the program was terminated;
  - (b) During the 2nd quarter after participation in the program was terminated; and
  - (c) During the 4th quarter after participation in the program was terminated;
- (6) The number and percentage of families with quarterly earnings from unsubsidized employment that are at least 200% of the federal poverty level:
- (a) At the time participation in the program was terminated;
  - (b) During the 2nd quarter after participation in the program was terminated; and
  - (c) During the 4th quarter after participation in the program was terminated;
- (7) The mean and median income of families with no quarterly earnings from unsubsidized employment:
- (a) At the time participation in the program was terminated;
  - (b) During the 2nd quarter after participation in the program was terminated; and
  - (c) During the 4th quarter after participation in the program was terminated; and
- (8) The number and percentage of families receiving income from the federal supplemental security income program or federal social security disability benefits:
- (a) At the time participation in the program was terminated;
  - (b) During the 2nd quarter after participation in the program was terminated; and
  - (c) During the 4th quarter after participation in the program was terminated; [PL 2019, c. 485, §1 (NEW).]
- E. Cumulative data on the highest level of educational attainment of adult parents or caretaker relatives receiving TANF cash assistance and cumulative data on the highest level of educational attainment of adult parents or caretaker relatives whose participation in the program was terminated in the prior year; [PL 2019, c. 485, §1 (NEW).]
- F. The ratio of persons receiving SNAP benefits to the total number of potentially eligible persons; the ratio of persons 60 years of age or older receiving SNAP benefits to the total number of potentially eligible persons 60 years of age or older; the ratio of nonelderly persons with a disability receiving SNAP benefits to the total number of potentially eligible nonelderly persons with a disability; and the ratio of children under 18 years of age receiving SNAP benefits to the total number of potentially eligible children under 18 years of age; [PL 2021, c. 398, Pt. OO, §18 (AMD).]
- G. The number and percentage of adult parents or caretaker relatives who have children in the household and who are receiving SNAP benefits, grouped by highest level of educational attainment of the adult parent or caretaker relative; [PL 2021, c. 398, Pt. OO, §19 (AMD).]
- H. The ratio of people participating in the MaineCare program, by eligibility group, to the total number of potentially eligible persons within each group; [PL 2019, c. 485, §1 (NEW).]
- I. The number and percentage of applications received by the department for the MaineCare program and the children's health insurance program as defined in section 3174-X, subsection 1,

paragraph A, by eligibility group, that are processed in less than 24 hours; that are processed within one to 7 days; that are processed within 8 to 30 days; that are processed within 31 to 45 days; and that are processed more than 45 days after receipt; [PL 2019, c. 485, §1 (NEW).]

J. The average waiting times, by month, for a person calling the department's call center to speak to a person, not including an interactive voice response system; and [PL 2019, c. 485, §1 (NEW).]

K. The number and percentage, by month, of telephone calls to the department's call center that are terminated by a caller prior to the caller's speaking to a person, not including an interactive voice response system. [PL 2019, c. 485, §1 (NEW).]

[PL 2021, c. 648, §2 (AMD).]

**2-A. Survey experiences of TANF and ASPIRE-TANF participants.** Beginning in calendar year 2024 and biennially thereafter, the department shall conduct a survey of TANF and ASPIRE-TANF participants and compile the answers to include in its biennial report for the following year pursuant to subsection 3. The department shall select a representative sample of current TANF and ASPIRE-TANF participants and a representative sample of TANF and ASPIRE-TANF participants whose participation in TANF was terminated in the previous year and whose contact information remains available to the department's office for family independence. The department shall survey the selected samples of participants using an anonymized survey. The department shall provide the opportunity to respond orally to the survey for participants who request interpreter services or another reasonable accommodation. Information about the participants is confidential. The department may use funds from the federal Temporary Assistance for Needy Families block grant to contract for this work. The survey topics must include, but are not limited to:

A. Administrative burdens faced by ASPIRE-TANF participants; [PL 2021, c. 648, §3 (NEW).]

B. Availability of interpretation and translation services; [PL 2021, c. 648, §3 (NEW).]

C. Experiences of discrimination based on racial or ethnic identity, sex, gender identity, sexual orientation, ability or disability status, religion, national origin or marital status; [PL 2021, c. 648, §3 (NEW).]

D. Availability of education and training programs, including postsecondary programs, and staff knowledge of and referrals to appropriate programs and services; [PL 2021, c. 648, §3 (NEW).]

E. Availability of adequate support services, including but not limited to child care and transportation, and recommendations for other support services needed but not available; [PL 2021, c. 648, §3 (NEW).]

F. Overall experiences and recommendations for improvement of ASPIRE-TANF; and [PL 2021, c. 648, §3 (NEW).]

G. Optional demographic questions, including but not limited to geographic location, racial or ethnic identity, sexual orientation, gender identity, disability, religion, national origin, marital status and need for interpretation and translation services. [PL 2021, c. 648, §3 (NEW).]

[PL 2021, c. 648, §3 (NEW).]

**3. Measuring the effect of department initiatives to improve child and family economic security; reports.** The department shall submit biennial reports, in accordance with this subsection, to the joint standing committee of the Legislature having jurisdiction over health and human services matters that analyze TANF's and ASPIRE-TANF's impact on family economic security, including increased ability to meet basic needs, improved education levels and increased income.

A. [PL 2021, c. 648, §4 (NEW); MRS T. 22 §3109, sub-§3, ¶A (RP).]

B. Beginning January 15, 2025, and biennially thereafter, the department shall present the data collected pursuant to subsection 2 and the survey responses compiled pursuant to subsection 2-A along with an assessment of how these data measures can be improved. The department shall also

identify any obstacles to improving economic security for children, families and individuals and make recommendations for addressing those obstacles, which may include improved coordination between state agencies. The department shall convene a representative group of current and former TANF and ASPIRE-TANF participants who volunteer to review the data collected pursuant to subsection 2 and the anonymized survey data collected pursuant to subsection 2-A. This group must have the opportunity to create a separate report making recommendations to improve economic security for children, families and individuals, which may also be presented by the group to the joint standing committee of the Legislature having jurisdiction over health and human services matters. [PL 2021, c. 648, §4 (NEW).]

For all reports required pursuant to this subsection, the joint standing committee's review must include the opportunity for public comment, and the joint standing committee may introduce any legislation that is considered necessary to address barriers faced by the department in improving economic security for children, families and individuals in this State.

[PL 2021, c. 648, §4 (RPR).]

#### SECTION HISTORY

PL 2019, c. 485, §1 (NEW). PL 2021, c. 398, Pt. OO, §§16-19 (AMD). PL 2021, c. 648, §§1-4 (AMD).

#### §3110. Authority to share information

**1. Information provided upon request.** Upon request, the department shall provide timely access electronically to income records and program enrollment information of a recipient of assistance under this subtitle to state agencies, quasi-state agencies or other entities for purposes of the administration of and application for the low-income home energy assistance program described in Title 30-A, section 4722, subsection 1, paragraph W; the low-income assistance program described in Title 35-A, section 3214, subsection 2; a local, state or federal subsidized housing program; and an energy efficiency program administered by an entity approved by the department or any other entity or program that, in the judgment of the department, provides services or resources that substantially promote the health and well-being of recipients of its services.

[PL 2023, c. 412, Pt. VV, §1 (NEW).]

**2. Authorization required.** Before providing any information pursuant to this section, the department must receive express authorization from the recipient agreeing to the release of that information in accordance with federal and state law. The department shall develop a simplified process to give the recipient the choice of authorizing the release of information pursuant to this section at the time of application or recertification for assistance under this subtitle or at another time of the individual's choice.

[PL 2023, c. 412, Pt. VV, §1 (NEW).]

**3. Maintenance fees.** The department may charge a reasonable annual maintenance fee to an entity that receives information pursuant to this section.

[PL 2023, c. 412, Pt. VV, §1 (NEW).]

**4. Duties of recipients of information.** Records and program enrollment information obtained pursuant to this section may be used only in accordance with federal and state law and this section. An entity that receives records is responsible for the protection and security of personally identifiable information contained in the records.

[PL 2023, c. 412, Pt. VV, §1 (NEW).]

**5. Rules.** The department shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that rules adopted pursuant to subsection 3 are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2023, c. 412, Pt. VV, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 412, Pt. VV, §1 (NEW).

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