

Public Necessity Rules
of
The Tennessee Department of Human Services
Family Assistance Division

Chapter 1240-1-50
Financial Eligibility Requirements
Families First Program

Standard of Need/Income

Statement of Necessity Requiring Public Necessity Rules

Tennessee Code Annotated, Section 71-3-155(e) requires that the standard of need for recipients of temporary assistance in the Families First program for the fiscal year be set by rule of the Tennessee Department of Human Services on July 1 of each year. TCA Section 71-3-155(f) further requires that the maximum grants be set, as a percentage of the standard of need, in the annual Appropriations Act or in rule of the Department. Additionally, because the amount of funding available for grants and the new standard of need is not known until the passage of the annual Appropriations Act [Section 10, Item 21, Senate Bill 4213/House Bill 4219 (2008)] which did not occur until June 23rd of 2008, and because the law requires that the standard of need and grant amounts be set by rule to be effective on July 1 of the fiscal year, it is not possible to establish rules by regular rulemaking procedures.

For a complete copy of these public necessity rules, contact: Phyllis Simpson, Assistant General Counsel, Tennessee Department of Human Services, Citizens Plaza Building, 400 Deaderick Street, 10th Floor, Nashville, TN 37243-1403, telephone number (615) 313-4731.

Virginia T. Lodge
Commissioner
Tennessee Department
of Human Services

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Amendments

Rule 1240-1-50-.20 Standard Of Need/Income, is amended by deleting parts 1 and 2 under subparagraph (g), paragraph (1), and by substituting instead the following language so that, as amended, parts 1 and 2 under subparagraph (g), paragraph (1) shall read as follows:

1. Tables

Table I

Number of Persons in Assistance Group	1	2	3	4	5	6	7	8	9	10
Gross Income Standard	1288	1658	1972	2240	2470	2666	2838	2991	3128	3256
Consolidated Need Standard	696	896	1066	1211	1335	1441	1534	1617	1691	1760
Maximum Payment (SPA)	95	142	185	226	264	305	345	386	425	467

Minimum Families First Payment is \$10 per month for any Assistance Group

Number of Persons in Assistance Group	11	12	13	14	15	16	17	18	19	20
Gross Income Standard	3374	3487	3596	3702	3802	3898	3987	4064	4129	4175
Consolidated Need Standard	1824	1885	1944	2001	2055	2107	2155	2197	2232	2257
Maximum Payment (SPA)	508	549	589	630	670	711	750	790	831	871

Minimum Families First Payment is \$10 per month for any Assistance Group

Table II

Number of Persons in Assistance Group	1	2	3	4	5	6	7	8	9	10
Gross Income Standard	1288	1658	1972	2240	2470	2666	2838	2991	3128	3256
Consolidated Need Standard	696	896	1066	1211	1335	1441	1534	1617	1691	1760
Maximum Payment (DGPA)	140	192	232	242	291	305	345	386	425	467

Minimum Families First Payment is \$10 per month for any Assistance Group

Number of Persons in Assistance Group	11	12	13	14	15	16	17	18	19	20
Gross Income Standard	3374	3487	3596	3702	3802	3898	3987	4064	4129	4175
Consolidated Need Standard	1824	1885	1944	2001	2055	2107	2155	2197	2232	2257
Maximum Payment (DGPA)	508	549	589	630	670	711	750	790	831	871

Minimum Families First Payment is \$10 per month for any Assistance Group

2. The Families First standard payment amount (maximum payment) for an assistance group of three (3) persons represents 17.3 % of the consolidated need for an assistance group of that size. The Families First maximum differential grant payment amount for an assistance group of three (3) persons represents 21.7% of the consolidated need for an assistance group of that size. The payment for groups composed of different numbers of recipients represents an upward adjustment of the percentage in the preceding sentence which is necessary to maintain the payment at a level not more or less than that paid in fiscal year 2007-2008.

Authority: TCA §§ 4-5-201 et seq.; 71-1-105; 71-3-151 et seq.; 71-3-154(i); 71-3-155(e)-(g); Senate Bill 4213/House Bill 4219 (2008); 42 USCA §§ 601 et seq.; and 45 CFR 233.20.

The public necessity rules set out herein were properly filed in the Department of State on the 1st day of July, 2008, and will be effective from the date of filing for a period of 165 days. These public necessity rules will remain in effect through the 13th day of December, 2008. (FS 07-02-08; DBID 2913)