

-Preface-

Department of Economic Security

Five – Year Review Reports

A.R.S. § 41-1056 requires that at least once every five years, each agency shall review its administrative rules and produce reports that assess the rules with respect to considerations including the rule's effectiveness, clarity, conciseness and understandability. The reports also describe the agency's proposed action to respond to any concerns identified during the review. The reports are submitted in compliance with the schedule provided by the Governor's Regulatory Review Council.

A.R.S. § 18-305, enacted in 2016, requires that statutorily required reports be posted on agency's website.

**Department of Economic Security
Title 6, Chapter 13 -State Assistance Program
Five-Year Review Report**

1. Authorization of the rule by existing statutes:

General Statutory Authority: A.R.S. §§ 41-1954(A)(3) and 46-134(1), and 46-134(10)

Specific Statutory Authority: A.R.S. § 36-716 authorizes the Tuberculosis Control Program.

A.R.S. § 46-241.01 authorizes the Short-term Crisis Services Program.

2. The objective of each rule:

ARTICLE 1. TUBERCULOSIS CONTROL PROGRAM

Rule	Objective
R6-13-102	This rule defines terms used in Chapter 13 in order to allow potential applicants and the public to better understand the rules that apply to the Tuberculosis Control Program.
R6-13-103	This rule specifies individuals who may be potentially eligible to receive Tuberculosis Control Program assistance which enables individuals to better determine whether they may be potentially eligible for this assistance and to make an informed decision about submitting an application.
R6-13-104	This rule notifies an applicant of the various methods by which they may submit an application for Tuberculosis Control Program assistance to the Family Assistance Administration (FAA).
R6-13-105	This rule specifies the actions that the Department will take upon receipt of an application for Tuberculosis Control Program assistance.
R6-13-106	This rule specifies the responsibilities of an applicant during the initial eligibility interview process, enabling the applicant to be better prepared for their interview.
R6-13-107	This rule specifies the responsibilities of the Department during the initial eligibility interview process, in order to allow the applicant to better understand the eligibility information that will be requested of them and the methods by which they may provide such information, if needed, after the interview.

Rule	Objective
R6-13-108	This rule specifies the responsibilities of the Department when determining eligibility for Tuberculosis Control Program assistance.
R6-13-109	This rule explains what applicant and recipient information the Department shall retain and maintain and the time frames for retaining and maintaining such information.
R6-13-110	This rule cites the Department's responsibilities in maintaining the confidentiality of an applicant's or recipient's records.
R6-13-111	This rule provides notice to the public of the Department's responsibility to make the FAA Policy Manual available to the public on the Department's internet website and to make the online manual accessible for public inspection at each FAA office.
R6-13-112	This rule explains the three nonfinancial eligibility factors that an applicant must satisfy in order to be potentially eligible for Tuberculosis Control Program assistance, enabling individuals to better determine whether they may be potentially eligible for this assistance and to make an informed decision as to submitting an application.
R6-13-113	This rule establishes a resource limit that the applicant and the assistance unit may not exceed in order to be eligible for Tuberculosis Control Program assistance. The rule also specifies which resources the Department shall exclude when determining the amount of countable resources.
R6-13-114	This rule requires the Department to verify the value of the resources of an applicant and assistance unit when determining eligibility for Tuberculosis Control Program assistance.
R6-13-115	This rule specifies the Department's policies regarding whether a resource is considered available or unavailable to an applicant or the assistance unit when the Department determines the amount of resources countable toward Tuberculosis Control Program eligibility.
R6-13-116	This rule explains the Department's policies for the treatment of lump-sum payments when determining eligibility for Tuberculosis Control Program assistance.
R6-13-117	This rule defines the term "income" and requires the Department to consider all non-excluded income received by an assistance unit when determining eligibility for Tuberculosis Control Program assistance.
R6-13-118	This rule lists the types of income that the Department shall exclude when determining eligibility for Tuberculosis Control Program assistance.

Rule	Objective
R6-13-119	This rule explains the methods by which the Department shall determine the countable monthly income of an assistance unit and the method used to determine a cash benefit amount.
R6-13-120	This rule requires the Department to calculate an assistance unit's countable monthly gross income by converting countable income received other than monthly into a monthly amount.
R6-13-121	This rule explains the various methods the Department uses to convert income that is received less frequently than on a monthly basis into a monthly amount when the Department determines an assistance unit's countable monthly gross income.
R6-13-122	This rule requires the Department to verify all income prior to determining eligibility and a benefit amount.
R6-13-123	This rule requires the Department to subtract a work expense deduction from the earned income of an employed assistance unit member when determining the countable monthly net income.
R6-13-124	This rule explains the methodology used when determining income eligibility for, and the amount of, a Tuberculosis Control Program cash benefit.
R6-13-125	This rule requires the Department to pay benefits to an assistance unit for each month of eligibility and establishes the time frames for both when the initial month benefits and the on-going monthly benefits are to be available to the assistance unit.
R6-13-126	This rule explains the methods used by the Department to provide assistance payments to the assistance unit.
R6-13-127	This rule explains who the EBT card may be issued to and the Department's responsibilities in issuing the EBT card.
R6-13-128	This rule explains the recipient's right to designate up to two EBT Alternate Card Holders and the responsibilities of an EBT Alternate Card Holder.
R6-13-129	This rule explains the entitlement to any benefits remaining in its EBT account when the assistance unit moves to another state.
R6-13-130	This rule explains the recipient's responsibilities in reporting a lost, stolen, or damaged EBT account access card and the Department's responsibilities in issuing a new card.
R6-13-131	This rule notifies a recipient that they will lose access to their EBT account when there has been no account activity for 90 days and the process to follow if the recipient wants to regain access to their EBT account. Also, this rule notifies a recipient that access

Rule	Objective
	to their EBT account will terminate when the EBT account has been inactive for a period of one year after the original date of availability of benefits and that any assistance benefits in the account at that time will be recouped by the Department.
R6-13-132	This rule requires the Department to correct underpayments of assistance by issuing the assistance unit a supplemental payment.
R6-13-133	This rule specifies when an overpayment of assistance exists and the Department's responsibility to pursue collection of an overpayment under state law.
R6-13-134	This rule explains the overpayment recovery methods that the Department uses.
R6-13-135	This rule explains the method the Department uses to establish the beginning date of an overpayment of assistance.
R6-13-136	This rule specifies that the Department shall terminate eligibility when notified by the Department of Health Services of completion of the recipient's treatment for tuberculosis.
R6-13-137	This rule requires the Department to complete a review of all eligibility factors for each assistance unit at least once every six months and specifies the Department's responsibilities in the review process.
R6-13-138	This rule informs the recipient of the requirement to report changes, the timeframe for timely reports of changes, and the changes that need to be reported and verified.
R6-13-139	This rule lists the Department's responsibilities when processing a change.
R6-13-140	This rule explains the circumstances in which the Department is required to reinstate benefits when a case has been terminated.
R6-13-141	This rule explains the Department's requirement to send the recipient a notice of adverse action and the information that must be included in such a notice.
R6-13-142	This rule establishes that an applicant or recipient is entitled to request an administrative hearing to challenge an adverse action taken by the Department. The rule informs an applicant or recipient of the adverse actions that may be appealed.
R6-13-143	This rule clarifies the terms "day" and "work day" and computation of time relating to timeframes used in the hearings and appeals processes.
R6-13-144	This rule explains the process by which an applicant or recipient can request an appeal of an adverse action and the Department's responsibilities in processing the request.
R6-13-145	This rule explains the responsibilities of the FAA for transmitting an appeal request to the Office of Appeals.

Rule	Objective
R6-13-146	This rule permits a recipient to continue to receive assistance at the benefit level they were receiving prior to an adverse action when an appeal request has been timely submitted. The rule lists the circumstances under which a stay of adverse action is not required.
R6-13-147	This rule requires the Office of Appeals to schedule a hearing, the time frame for scheduling the hearing, and the notice requirements for all interested parties.
R6-13-148	This rule provides parties in an appeal with the ability to request a postponement of a hearing, and the process for requesting a postponement.
R6-13-149	This rule enumerates the responsibilities of the Hearing Officer in the appeals process.
R6-13-150	This rule specifies the process by which a party may request a change of Hearing Officer and the responsibilities of the party and the Office of Appeals in this process.
R6-13-151	This rule specifies the process by which a party may request that a subpoena be issued and the responsibilities of the party, the Hearing Officer, and the Office of Appeals in this process.
R6-13-152	This rule lists the rights of the appellant and the Department in the appeals process.
R6-13-153	This rule explains the process by which an appellant may withdraw an appeal and the responsibilities of the Office of Appeal in this process.
R6-13-154	This rule explains the requirements of the Hearing Officer in situations in which the appellant fails to appear for a scheduled hearing and specifies the actions that an appellant may take to request that the proceedings be reopened.
R6-13-155	This rule explains the hearing procedures, including the responsibilities of the parties and the Hearing Officer.
R6-13-156	This rule establishes a timeframe for the issuance of a hearing decision, the elements which must be included in the decision, and the notification requirements.
R6-13-157	This rule explains the types of decisions that may be rendered by the Hearing Officer and the effect of those decisions.
R6-13-158	This rule permits a party to appeal an adverse decision issued by a hearing officer to the Department's Appeals Board and explains the process for filing the appeal.
R6-13-159	This rule specifies the responsibilities of the Appeals Board when a party has appealed an adverse decision issued by a hearing officer.
R6-13-160	This rule stipulates the rights of a party adversely affected by an Appeals Board decision to seek judicial review pursuant to state law.

Rule	Objective
R6-13-161	This rule stipulates that assistance payments are contingent on budgetary appropriation.

ARTICLE 8. SHORT-TERM CRISIS SERVICES

Rule	Objective
R6-13-801	The objective of this rule is to define terms used in Article 8, Short-term Crisis Services.
R6-13-802	The objective of this rule is to establish the short-term crisis services application process.
R6-13-803	The objective of this rule is to provide notice to contract providers of the requirements by which an applicant would be eligible or ineligible for the services.
R6-13-804	The objective of this rule is to establish the financial eligibility requirements regarding countable income for households applying for short-term crisis services.
R6-13-805	The objective of this rule is to define the emergent need eligibility requirements for households experiencing, or which expect to experience, an emergent need.
R6-13-806	The objective of this rule is to define the types of assistance and the duration for short-term crisis services.
R6-13-807	The objective of this rule is to establish the payment period and the cap amounts for emergency shelter at homeless facilities, utility assistance, utility repair or replacement and deposit, rent, rental deposits or mortgage assistance, and for special needs.
R6-13-808	The objective of this rule is to establish the contract agency's responsibility for sending the applicant a decision letter upon determination of eligibility.
R6-13-809	The objective of this rule is to establish the complaint, hearing and appeal process for denials of eligibility, the amount of assistance awarded and termination or reduction of assistance.

3. Are the rules effective in achieving their objectives?

Yes

No

If not, please identify the rule(s) that is not effective and provide an explanation for why the rule(s) is not effective.

ARTICLE 1. TUBERCULOSIS CONTROL PROGRAM

Several of the rules in Article 1 address appeals and fair hearings processes that are conducted by and should align with the practices of the Department's Appellate Services Administration/Office of Appeals. The rules identified below have become outdated and do not reflect current practice.

In July 2018 the Department filed Emergency Rules for Title 6, Chapter 14 – Food Stamps Program. These Emergency Rules were extended in January 2019 and will expire in July 2019. Article 4 of the Emergency Rules is specific to Appeals and Fair Hearings and reflects current practices utilized by the Department's Appellate Services Administration/Office of Appeals. While the Emergency Rules are contained in Chapter 14, many of the practices apply to Appeals and Fair Hearings for multiple programs including the Tuberculosis Control Program.

For the purposes of this Five-Year Review Report, the rules identified below could be more effective if revised to more accurately describe various elements of the Appeals and Fair Hearings practices that have been instituted since the Tuberculosis Control Program rules were revised in 2012 and the last Five-Year Review Report was completed in 2014.

Rule	Explanation
R6-13-142	This rule is not effective because the language in section (A) is too restrictive. In addition to appealing an adverse action, any applicant or recipient who disagrees with any action or inaction by the Department has the right to challenge the action or inaction by requesting an administrative or fair hearing. (R6-14-401)
R6-13-143	This rule is not effective because rather than considering a document that is sent by the United States Postal Service as having been given to the addressee on the date

Rule	Explanation
	mailed, documents sent by the Department are considered to be received by an applicant or recipient on the fifth calendar day after the date mailed. (R6-14-402)
R6-13-144	This rule is not effective because in addition to submitting a verbal or written request for a hearing, an applicant or recipient may now file a request for hearing by fax or Internet. (R6-14-403)
R6-13-147	This rule is not effective because the information that is required to be included in a Notice of Hearing in section (D) does not include the additional information that the Department now provides in the notice. (R6-14-405)
R6-13-148	This rule is not effective because Department policy now allows the appellant to receive one postponement of the first scheduled hearing, not to exceed 30 days. The Office of Appeals may grant subsequent postponements upon a showing of good cause. (R6-14-406)
R6-13-152	This rule is not effective because Department policy now allows the appellant the right to advance arguments without undue interference and to question or refute any testimony or evidence. This additional right is not currently specified in the rule. (R6-14-410)
R6-13-153	This rule is not effective because it does not include the Department's responsibility to send a written notification to the appellant confirming that an oral request to withdraw an Appeal has been received and providing the appellant an opportunity to reinstate a hearing. (R6-14-411)
R6-13-154	This rule is not effective because the Department has instituted some procedural changes to the process for establishing good cause for failure to appear at a Hearing. For example, a separate Hearing to determine the validity of a good cause claim is no longer required when the party requests that a Hearing be reopened and provides an acceptable good cause reason for having not attended the original Hearing. The hearing officer may now reopen the proceedings and schedule a new hearing with notice to all parties. (R6-14-412)
R6-13-155	Regarding the Hearing proceedings, the Arizona Revised Statutes citation in section (C) has changed. Also, the Office of Appeals no longer provides a transcript of

Rule	Explanation
	hearings. The Office provides an audio recording of the hearing on a compact disk at no charge. (R6-14-413)
R6-13-156	The Hearing decision now contains an additional statement that an appeal of the decision may result in a reversal of the decision. (R6-14-414)
R6-13-158	Sections (C) and (D) in this rule are no longer required. (R6-14-416)
R6-13-159	Section (B) in this rule regarding additional actions that the Appeals Board may take following a decision is no longer accurate. (R6-14-417)

ARTICLE 8. SHORT-TERM CRISIS SERVICES

Rule	Explanation
R6-13-807	<p>This rule could be made more effective with slight modification to several of its subparts:</p> <p>A.1. The allowance for emergency shelter is \$5,000. This service today is provided for the most part by other State programs except in uncommon circumstances. To avoid duplication of services, the Department is considering a reduction in this benefit level to \$2,500.</p> <p>A.2. The current benefit limit for utility assistance is \$500. Utility costs, especially electricity, have risen an average of 30-40 percent for households in Arizona over the last several years and are likely to continue increasing. The Department is considering raising this benefit limit to \$1,200, to align with the limit on federally funded utility repair or replacement and deposit in subpart A.3 of this rule.</p> <p>A.5. The benefit limit for rent, rental deposits and mortgage assistance is currently \$1,500. This limit reduces the effectiveness of STCS at assisting clients in the face of increases in the costs of obtaining and maintaining housing in Arizona. Rental costs in Arizona increase on average 3.3 percent per year and rose 5.6 percent over the last 12 months. More than 70 percent of STCS households are renters. Rental services are by far the most common assistance provided under STCS. The</p>

	Department is considering increasing the benefit limit to \$2,000 for rental/mortgage assistance and deposits.
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4. **Are the rules consistent with other rules and statutes?** Yes No

If not, please identify the rule(s) that is not consistent. Also, provide an explanation and identify the provisions that are not consistent with the rule.

ARTICLE 1. TUBERCULOSIS CONTROL PROGRAM

Rule	Explanation
R6-13-142	In July 2018 the Department filed Emergency Rules for Title 6, Chapter 14 – Food Stamps Program. These Emergency Rules were extended in January 2019 and will expire in July 2019. Article 4 of the Emergency Rules is specific to Appeals and Fair Hearings and reflects current practices utilized by the Department’s Appellate Services Administration/Office of Appeals. For consistency, there are several Appeals and Fair Hearings related rules in Article 1 that may be revised or enhanced to more accurately state current Department policies and procedures.
R6-13-143	
R6-13-144	
R6-13-147	
R6-13-148	
R6-13-152	
R6-13-153	
R6-13-154	
R6-13-155	
R6-13-156	
R6-13-158	
R6-13-159	

ARTICLE 8. SHORT-TERM CRISIS SERVICES

Rule	Explanation
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R6-13-802	This rule requires applicants to participate in a face-to-face interview in order to apply for Short-term Crisis Services. This is more stringent than federal TANF regulations, and the Department is considering removing this requirement.
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5. Are the rules enforced as written?

Yes

No

If not, please identify the rule(s) that is not enforced as written and provide an explanation of the issues with enforcement. In addition, include the agency(s) proposal for resolving the issue.

ARTICLE 1. TUBERCULOSIS CONTROL PROGRAM

The Department enforces rules in Chapter 13 Article 1 to the extent that they do not conflict with state or federal law or Department policy.

Rule	Explanation
R6-13-142	As noted in sections 3 and 4 of this report, there are several Appeals and Fair Hearings related rules in Article 1 that may be revised or enhanced to more accurately reflect current Department practice. The Department follows the policies and procedures enumerated in Title 6, Chapter 14 – Food Stamps Program, Article 4 (Appeals and Fair Hearings) across multiple programs, including the Tuberculosis Control Program.
R6-13-143	
R6-13-144	
R6-13-147	
R6-13-148	
R6-13-152	
R6-13-153	
R6-13-154	
R6-13-155	

R6-13-156	
R6-13-158	
R6-13-159	

ARTICLE 8. SHORT-TERM CRISIS SERVICES

The Department enforces rules in Chapter 13 Article 8 as written.

6. Are the rules clear, concise, and understandable? Yes No

If not, please identify the rule(s) that is not clear, concise, or understandable and provide an explanation as to how the agency plans to amend the rule(s) to improve clarity, conciseness, and understandability.

ARTICLE 1. TUBERCULOSIS CONTROL PROGRAM

Rule	Explanation
R6-13-142	The rules in Chapter 13, Article 1 are generally clear, concise, and understandable.
R6-13-143	As noted in sections 3, 4, and 5 of this report, there are several Appeals and Fair Hearings related rules in Article 1 that may be revised to more accurately reflect current Department practices. The Department follows the policies and procedures enumerated in Title 6, Chapter 14 – Food Stamps Program, Article 4 (Appeals and Fair Hearings) across multiple programs, including the Tuberculosis Control Program.
R6-13-144	
R6-13-147	
R6-13-148	
R6-13-152	
R6-13-153	
R6-13-154	
R6-13-155	
R6-13-156	
R6-13-158	
R6-13-159	

ARTICLE 8. SHORT-TERM CRISIS SERVICES

Rule	Explanation
R6-13-802	Subpart B.1.c of this rule cites R6-13-805 for calculation of gross monthly income, but the correct citation is R6-13-804.
R6-13-807	Subpart A.6 of this rule cites R6-13-808(A)(4) for special needs, but the correct citation is R6-13-806(A)(4).
R6-13-807	Subparts A.3 and A.4 require technical correction for clarity. A.3 should read: “For federally funded utility deposit, equipment repair or replacement, the actual cost or \$1,200, whichever is less.” A.4 should read: “For state-funded utility deposit, equipment repair or replacement, the actual cost or \$600, whichever is less.”

7. Has the agency received written criticisms of the rules within the last five years?

Yes

No

If yes, please fill out the table below:

Commenter	Comment	Agency's Response
NA	NA	NA

8. Economic, small business, and consumer impact comparison:

ARTICLE 1. TUBERCULOSIS CONTROL PROGRAM

Article 1, Tuberculosis Control Program, was made effective June 30, 2012. The Department prepared an Economic Impact Statement for that rulemaking. The following table updates the economic impact provided in that statement.

Description	2012 Rulemaking	Actual Impact
Costs and benefits to state agencies directly affected by the rulemaking	<p>In fiscal year 2011, 12 individuals received Tuberculosis Control payments. The FAA issued \$6,144.78 in Tuberculosis Control payments in FY 2011. The Department does not anticipate any new full-time employees as a result of this rulemaking.</p> <p>This program has minimal economic impact on political subdivisions, limited to the benefit of minimizing exposure to suspected or confirmed communicable tuberculosis.</p>	<p>In FY 2018, 15 individuals received Tuberculosis Control payments. The FAA issued \$8,500 in Tuberculosis Control payments in FY 2018. No new full-time employees have resulted from the rules.</p>

directly affected by the rulemaking	these applicants and recipients. No other private persons or consumers are directly affected by the rulemaking.	
Probable effects on state revenues	Not applicable	No change

ARTICLE 8. SHORT-TERM CRISIS SERVICES

Article 8, Short-term Crisis Services, was adopted under an exemption from Title 41, Chapter 6, effective August 4, 1997, and no economic impact statement was prepared at that time. This economic impact assessment reflects the current economic impact for these rules.

Case/Client Data: In SFY 2018, the Department’s Short-term Crisis Services served 1,755 households through the provision of temporary assistance to low-income families experiencing an emergency need that could not be met immediately by their own income. Contracted providers are responsible for obtaining documentation to determine eligibility, authorizing payments, and assisting the client to secure services that will alleviate the crisis. There is no additional cost or economic benefit and no other private persons or consumers are directly affected by these rules.

Agency Data: These rules do not increase the cost or burden on the Department of Economic Security.

Funding: Federal funding is used to operate Short-term Crisis Services. The Department of Economic Security has received \$3.724 million in TANF funds to support the program during SFY 2019. These funds are allocated to Arizona’s 11 Community Action Agencies and one Limited Purpose Agency to administer the program. There are no additional costs associated with these rules.

9. Has the agency received any business competitiveness analyses of the rules?

Yes

No

10. Has the agency completed the course of action indicated in the agency's previous five-year review report?

Please state what the previous course of action was and if the agency did not complete the action, please explain why not.

ARTICLE 1. TUBERCULOSIS CONTROL PROGRAM

No actions were planned relative to Article 1.

ARTICLE 8. SHORT-TERM CRISIS SERVICES

No. The Department intended to amend Article 8 to eliminate the face-to-face interview after the December 2014 expiration of the regulatory moratorium. Subsequent regulatory moratoria which have been in place since December 2014 impacted the Department's rulemaking and the Department has not made amendments to Article 8.

11. A determination that the probable benefits of the rule outweigh within this state the probable costs of the rule, and the rule imposes the least burden and costs to regulated persons by the rule, including paperwork and other compliance costs, necessary to achieve the underlying regulatory objective:

With the amendments identified in this report, the Department believes that the rules would impose the least burden and costs to persons regulated by these rules, including paperwork and other compliance costs, necessary to achieve the underlying regulatory objectives.

The Department believes that the probable benefits of the rules will outweigh within this state the probable costs of the rules.

12. Are the rules more stringent than corresponding federal laws?

Yes

No

Please provide a citation for the federal law(s). And if the rule(s) is more stringent, is there statutory authority to exceed the requirements of the federal law(s)?

ARTICLE 1. TUBERCULOSIS CONTROL PROGRAM

There is no corresponding federal law specific to Article 1.

ARTICLE 8. SHORT-TERM CRISIS SERVICES

The Department has determined that the rules contained in Article 8 are more stringent than corresponding TANF regulations only in that these rules require a face-to-face interview. TANF regulations outlined in 45 CFR Chapter II do not specifically address interview requirements.

13. For rules adopted after July 29, 2010 that require the issuance of a regulatory permit, license, or agency authorization, whether the rules are in compliance with the general permit requirements of A.R.S. § 41-1037 or explain why the agency believes an exception applies:

The Department has determined that A.R.S. § 41-1037 does not apply to the rules in Chapter 13 because the Department is not proposing a new rule or an amendment to an existing rule that requires the issuance of a regulatory permit, license or agency authorization.

14. Proposed course of action:

If possible, please identify a month and year by which the agency plans to complete the course of action.

ARTICLE 1. TUBERCULOSIS CONTROL PROGRAM

In the interest of providing clarity and consistency to stakeholders, program participants and community partners, the Department is pursuing a rulemaking to outline the appellate process for all administrative hearings conducted by the Appellate Services Administration for programs administered by the Department. These rules will consolidate the various separate appeals rules contained in many of the specific Department program rules. The proposed rulemaking could eliminate separate hearing rules sections for more than 15 existing chapters under Title 6.

In September 2018, the Governor's Office approved an exception from the regulatory moratorium to allow the Department to proceed with a rulemaking to consolidate various Department appeal and hearing rules. The Department plans to submit a Notice of Final Rulemaking for the combined rules to Council in June 2020. Actions to repeal or revise rules in Chapter 13 will be identified as the language for the combined appeal and hearing rules are solidified.

ARTICLE 8. SHORT-TERM CRISIS SERVICES

The Department is reassessing the potential for completing a rulemaking to address the items identified above with respect to Article 8 in the context of competing rulemaking priorities and the constraints of the regulatory moratorium. If the Department receives an exception from the moratorium, the Department anticipates submitting amended rules to Council within 20 months of receiving the exception.