

JOHN R. MCGINLEY, JR., ESQ., CHAIRMAN
ALVIN C. BUSH, VICE CHAIRMAN
ARTHUR COCCODRILLI
ROBERT J. HARBISON, III
JOHN F. MIZNER, ESQ.
ROBERT E. NYCE, EXECUTIVE DIRECTOR
MARY S. WYATTE, CHIEF COUNSEL



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

May 17, 2001

Honorable Feather O. Houston, Secretary
Department of Public Welfare
333 Health & Welfare Building
Harrisburg, PA 17105

Re: Regulation #14-448 (IRRC #2192)
Department of Public Welfare
Restitution; Appeal and Fair Hearing and Administrative Disqualification
Hearings; Food Stamp Discretionary Provisions

Dear Secretary Houston:

The Independent Regulatory Review Commission approved your regulation on May 17, 2001.
Our Order is enclosed and is available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that met the criteria and intent of the Regulatory Review Act.

Sincerely,


John R. McGinley, Jr.
Chairman

wbg

Enclosure

cc: Honorable Dennis M. O'Brien, Majority Chairman, House Health & Human Services Committee
Honorable Frank L. Oliver, Democratic Chairman, House Health & Human Services Committee
Honorable Harold F. Mowery, Chairman, Senate Public Health & Welfare Committee
Honorable Vincent J. Hughes, Minority Chairman, Senate Public Health & Welfare Committee
Nia Wilson, Legal Counsel, House Health & Human Services Committee
Stanley Mitchell, Chief Counsel, House Health & Human Services Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held May 17, 2001

John R. McGinley, Jr., Chairman
Alvin C. Bush, Vice Chairman, by Phone
Arthur Coccodrilli
John F. Mizner

Regulation No. 14-448
Department of Public Welfare
Restitution; Appeal And Fair Hearing And
Administrative Disqualification Hearings;
Food Stamp Discretionary Provisions

On April 25, 2001, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Public Welfare (Department). This rulemaking amends 55 Pa. Code, Chapters 255, 275 and 501. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation from the Department of Public Welfare implements a federal directive concerning the disqualification penalty for individuals who have committed an intentional program violation of the Temporary Assistance for Needy Families (TANF), General Assistance (GA) Cash Assistance Programs or the Food Stamp Program. This final-omitted rulemaking applies to all applicants and current and former recipients for TANF, GA or the Food Stamp Program. All persons who had a disqualification pending, prior to the federal directive, are considered to have served their disqualification.

We have determined this regulation is consistent with the statutory authority of the Department of Public Welfare (62 P.S. §§ 201(2) and 403(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





John R. McGinley, Jr., Chairman