

1 10A NCAC 23E .0201 is proposed for re adoption with substantive changes as follows:

2
3 **SECTION .0200 – FINANCIAL REQUIREMENTS**
4

5 **10A NCAC 23E .0201 APPLYING FOR ALL BENEFITS AND ANNUITIES**

6 (a) Clients shall take all necessary steps to obtain any annuities, pensions, retirement and disability benefits to which
7 they are entitled, pursuant to 42 CFR 435.608, which is adopted and incorporated by reference with subsequent
8 changes or amendments and available free of charge at <https://www.ecfr.gov/>, unless they have good cause for not
9 doing so as determined by the county department of social services. ~~so~~

10 (b) For purposes of this rule, good ~~Good~~ cause shall be ~~is~~ limited to physical or mental incapability to make such
11 effort.

12 (c) If a client fails to comply with Paragraph (a) and does not show good cause, ~~The amount of any verifiable benefits~~
13 ~~is counted as income to the client if the amount can be determined. If the amount cannot be determined, but the~~
14 ~~availability is verified, the client's eligibility benefits~~ ease shall be terminated. ~~denied or terminated for client's failure~~
15 ~~to cooperate.~~

16
17 *History Note: Authority G.S. 108A-54; 108A-54.1B; 42 C.F.R. 435.608; ~~435.603~~;*
18 *Eff. September 1, 1984;*
19 *Amended Eff. August 1, 1990;*
20 *Transferred from 10A NCAC 21B .0309 Eff. May 1, 2012; ~~2012~~.*
21 *Readopted Eff. May 1, 2019.*
22
23