

TITLE 465  
INTRODUCTION TO THE PROGRAM MANUAL

CHAPTER 1-000 GENERAL INFORMATION

1-001 Purpose Statement: The Program Manual of the Nebraska Department of Social Services (NDSS) communicates information to Department staff concerning program policies, procedures, standards, and forms. Title 465, "Introduction to the Program Manual," contains rules and regulations common to all programs, and general information regarding Department policies. As part of the Nebraska Administrative Code (NAC), rules and regulations contained in the program titles are binding on Department staff, applicants, clients, and providers of services to the Department.

1-001.01 Availability of Program Manuals

1-001.01A Federal Requirements: Federal regulations require that program manuals and other policy issuances that affect the public, including rules and regulations governing eligibility, need and amount of assistance, recipient rights and responsibilities and services offered by the agency must be maintained in the Central Office and in each local and district office for examination. These documents must be available upon request for review, study and reproduction by individuals during regular working hours of the office. Copies of materials, if requested, must be made available without charge or at a charge related to the cost.

1-001.01B State Requirements: State statutes require that each agency shall make copies of its rules and regulations available to all interested persons on request, at a price fixed to cover cost of publication and mailing or if funds are available, the regulations may be furnished without cost.

1-001.02 Fees for Manuals: Information regarding charges for manual materials is available in the Central Office, Manuals Unit. Waiver of fees for materials is based on each request individually.

1-002 User's Guide

1-002.01 Composition of Manuals: Program manuals are written primarily for Department staff use for applying program policies in accordance with state and federal requirements. Each title of the manual contains policies and also an Appendix.

1-002.01A The NAC: The Administrative Procedures Act (APA) Sections 84-901, et seq. of the Nebraska Revised Statutes mandates the procedures for state agencies to follow when adopting rules and regulations. The Nebraska Administrative Code (NAC) is a codification of certified regulations and rules of Nebraska state agencies covered by the APA. The Division of Regulations of the Secretary of State's Office is charged by statute with adopting the numbering system and format for regulations. This division assigns Titles to each agency.

1-002.01B The Appendix: The Department has added an appendix to each Title of the Manual to include supportive materials including forms, charts, listings, examples, miscellaneous procedures and other issuances which are not germane to the State NAC system. These supportive materials, though not regulatory, are binding on Department staff.

### 1-002.02 Numbering System

1-002.02A The NAC System: NAC is the numbering system adopted by the Secretary of State. Nebraska statute requires that all state agencies with certified regulations adopt this uniform system. The Nebraska Department of Social Services is assigned NAC Titles 390 through 406 and Titles 463 through 482.

For a listing of current Program Manuals and assigned Titles, see 465-000-202.

1-002.02A1 Citations: The following is a breakdown of portions of a citation. Each successive breakdown represents more detail.

465 NAC 1-002 Title: The first three digits represent the Nebraska Administrative Code. This number identifies both the agency and the program within the agency.

465 NAC 1-002 Chapter: The first digit or digits following NAC.

465 NAC 1-002 Section: The three digits following the hyphen.

465 NAC 1-002.03 Subsection: The two digits following the section number.

465 NAC 1-002.03A Part: The upper case letter following the subsection number.

465 NAC 1-002.03A4 Subpart: The digit following the part indicator.

465 NAC 1-002.03A4b Division: The lower case letter following the subpart number.

465 NAC 1-002.03A4b(5) Subdivision: The number in parentheses following the division letter.

465 NAC 1-002.03A4b(5)(c) Segment: The lower case letter, enclosed in parentheses, which follows the subdivision number.

465 NAC 1-002.03A4b(5)(c)[1] Subsegment: The number, enclosed in brackets, following the segment letter.

1-002.02B Appendices System: The appendix is coded with the Title number followed by three zeros, followed by a sequential number. For example, 465-000-3 is the third form in the appendix of Title 465.

The appendix may vary in different Manuals, however, the usual division is as follows:

1 - 199	Forms
200 - 299	Charts and Listings
300 - 399	Examples
400 - 499	Miscellaneous

Title 465 follows this division for its appendix.

### 1-003 Legal Basis

1-003.01 State: The Nebraska Department of Social Services became the official name of the Department by legislation on August 26, 1983. The Department was formerly the Nebraska Department of Public Welfare established as an executive department by the Legislature (Section 68-701 - 68-715, et seq. of the Nebraska Revised Statutes). The Department consists of a Director appointed by the Governor and "such additional employees as may be necessary to perform the functions of the Department in an efficient manner."

1-003.01A State Administration: The 1982 Nebraska Legislature passed Legislative Bill (LB) 522 which changed the Department from county administration with state supervision to a department that is state administrated. On January 1, 1983, the Department became the sole agency for administration of welfare programs (Section 68-309, et seq. of the Nebraska Revised Statutes). Other state statutes related to specific program areas may be cited in the Title covered by that program.

1-003.02 Federal Authorities: Federal laws and regulations serve as the federal directives from federal agencies which monitor the programs administered by the Department.

1-003.02A Federal Laws: The federal statutory authority governing each program is covered at the beginning of the NAC title that contains the program regulations. The majority of the laws are contained in the Social Security Act of 1935 and subsequent amendments.

1-003.02B Federal Regulations: The Code of Federal Regulation (CFR) is codification of rules published in the Federal Register by executive departments and agencies of the federal government. The Department, in order to receive federal funding, must comply with regulations of the appropriate federal monitoring agencies. CFR citations governing programs administered by NDSS may appear in each NAC manual.

1-003.02C State Plans: State plans are prepared either in narrative form or in "pre-prints." Pre-printed plans are statements prepared by the federal government which describe conditions under which federal funds are available. The state agency indicates its agreement with federal requirements by submitting properly completed plans to the appropriate federal regional office for approval. Manual material is submitted to the federal agency as a supplement to preprinted plans.

1-004 Forms: Copies of forms referred to in Title 465 and instructions for their use will appear in the Appendix to this Title.