



MONTANA
ADMINISTRATIVE
REGISTER



DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2025-112.1

Summary

Amendment of ARM 37.36.604 pertaining to the Montana Accessible Communications (MTAC) Financial Eligibility Criteria

Hearing Date and Time

Monday, December 1, 2025, at 9:00 a.m.

Virtual Hearing Information

Join Zoom Meeting: <https://mt-gov.zoom.us/j/84913118442?pwd=Ukyj5OVDazfMe5pMmaO4pTPa8Pj29Q.1>

Meeting ID: 849 1311 8442 Password: 478095

Dial by Telephone +1 646 558 8656

Meeting ID: 849 1311 8442 Password: 478095

Find your local number: <https://mt-gov.zoom.us/j/84913118442?pwd=Ukyj5OVDazfMe5pMmaO4pTPa8Pj29Q.1>

Comments

Comments may be submitted using the contact information below. Comments must be received by Friday, December 5, 2025, at 5:00 p.m.

Accommodations

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Monday, November 17, 2025, at 5:00 p.m.

Contact

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hhsadminrules@mt.gov
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Rulemaking Actions

AMEND

The rule proposed to be amended is as follows, stricken matter interlined, new matter underlined:

37.36.604 FINANCIAL ELIGIBILITY CRITERIA

- (1) Individuals whose annual family income during the 12 months immediately preceding the month of application is less than 250% of the ~~2023~~ 2025 poverty guidelines published by the U.S. Department of Health and Human Services (HHS) are eligible for a loan of specialized telecommunications equipment based on income. 250% of the HHS ~~2023~~ 2025 annual poverty guidelines for families of various sizes is specified on the Montana Accessible Communications program website, effective on ~~January 12, 2023~~ January 15, 2025, which rate is adopted and incorporated here by reference. A copy is available at ~~<https://dphhs.mt.gov/detd/mtap/nocostassistiveequipment>~~ <https://dphhs.mt.gov/detd/mtac/nocostassistiveequipment>, or may be obtained from the Department of Public Health and Human Services, Montana Accessible Communications Program (MTAC), P.O. Box 4210, Helena MT 59604-4210.
- (2) There is no asset test to be eligible for a loan of specialized telecommunications equipment.

Authorizing statute(s): 53-19-305, 53-19-307, MCA

Implementing statute(s): 53-19-305, 53-19-307, MCA

General Reasonable Necessity Statement

The Department of Public Health and Human Services (department) is proposing an amendment to ARM 37.36.604 to align the requirements for Montana Accessible Communications (MTAC) with the 2025 United States Department of Health and Human Services (HHS) federal poverty level (FPL) index guidelines.

The following describes the purpose and necessity of the proposed rule amendment pertaining to this rule:

ARM 37.36.604

The department is proposing to amend ARM 37.36.604, pertaining to MTAC financial eligibility criteria. The proposed rule sets forth that an individual is eligible for a loan of specialized telecommunications equipment if the individual's annual family income during the 12 months immediately preceding the month of application does not exceed 250% of the United States Department of Health and Human Services (HHS) poverty guidelines for households.

This proposed amendment updates the rule to adopt the 2025 poverty guidelines published by HHS, instead of the 2023 poverty guidelines published by HHS, which this rule currently adopts. The reason for the proposed amendment to adopt the 2025 poverty guidelines published by HHS is to ensure that the annual income necessary to be eligible for a loan of specialized telecommunications equipment is up to date with the current poverty guidelines published by HHS and to appropriately increase access to eligible persons.

During the public comment period, the proposed rates are on the MTAC website as "proposed," until approved and adopted.

Additionally, the link to a copy of the poverty guidelines published by HHS is proposed to be amended to provide a correction to the new, appropriate link.

Small Business Impact

Pursuant to 2-4-111(1)(a), MCA, the department has determined that the rule changes proposed in this notice will not create a significant and direct impact upon small businesses.

Pursuant to 2-4-111(1)(b), MCA, the department has determined that the proposed amendment will slightly increase the number of people eligible for a loan of specialized telecommunications equipment based on income. By the department's estimate, the proposed amendment could entitle four more individuals for a loan of specialized telecommunications equipment based on income.

Documentation of the small business impact analysis is available upon request.

Bill Sponsor Notification

The bill sponsor contact requirements do not apply.

Interested Persons

The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by the department. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Written requests may be emailed, mailed, or otherwise delivered to the contact person above.

Rule Reviewer

Olivia Schuler

Approval

Charles T. Brereton, Director

Department of Public Health and Human Services