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**Administrative Directive**

**Section 1**

<b>Transmittal:</b>	07-ADM-09
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office :</b>	Center for Employment and Economic Supports
<b>Date:</b>	December 14, 2007
<b>Subject:</b>	Categorical Eligibility for Food Stamps
<b>Suggested Distribution:</b>	Temporary Assistance Directors Food Stamp Directors FEDS Coordinators Fraud Directors Staff Development Coordinators
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<b>Attachments:</b>	Attachment A: Sample "Helping Hands" Brochure
<b>Attachment Available On – Line:</b>	Sample only

**Filing References**

<b>Previous ADMs/INFs</b>	<b>Releases Cancelled</b>	<b>Dept. Regs.</b>	<b>Soc. Serv. Law &amp; Other Legal Ref.</b>	<b>Manual Ref.</b>	<b>Misc. Ref.</b>
01 ADM 2 ABEL Transmittal 07-3		387.9		FSSB Section 5	

## **I. Summary:**

- Currently, only households whose members **all** receive either Temporary Assistance (TA) - both Family Assistance and Safety Net - and/or SSI cash benefits are categorically eligible to participate in the Food Stamp Program (FSP) in New York State.
- Effective January 1, 2008, New York State is expanding categorical eligibility for the Food Stamp Program. Except for those households having a member who is either disqualified from the Food Stamp Program due to an Intentional Program Violation (IPV) or a sanction, households that have a gross income at or below 130% of the federal poverty limit that receive the *Helping Hands* brochure will have received a Temporary Assistance for Needy Families (TANF)/Maintenance of Effort (MOE)-funded service that confers categorical eligibility for the FSP.
- Except for those households having a member who is either disqualified from the Food Stamp Program due to an IPV or a sanction, households that have either an elderly or disabled member (or members) and a gross income at or below 200% of the federal poverty limit that receive the *Helping Hands* brochure will have received a TANF/MOE-funded service that confers categorical eligibility for the FSP.
- By expanding categorical eligibility, resources will no longer need to be considered when assessing the eligibility of all income-eligible households except when otherwise noted in this document. Workers will no longer need to verify resource information for almost all income-eligible households. This will save case processing time, and will also reduce quality assurance errors.

## **II. Purpose:**

The purpose of this Administrative Directive (ADM) is to inform the local departments of social services (local districts) about the expansion of categorical eligibility for the Food Stamp Program and the effects of this expansion on policy and procedures. This change is expected to:

- Increase the participation in the Food Stamp Program in New York State, particularly among the elderly and the working poor;
- Reduce the workload and case processing time for local districts because workers will no longer need to gather resource information;
- Reduce quality assurance errors; and
- Reduce documentation requirements for applicants and recipients.

## **III. Background:**

Under current federal statute and Food Stamp Program regulations, applicant households that have gross incomes in excess of 130% of the poverty limit, except those with elderly or disabled members, or that have countable financial resources in excess of \$2,000 (\$3,000 for a household with an elderly or disabled member) generally may not participate in the program. However, in the wake of the welfare reform of the late 1990s, federal interpretation of regulations has allowed states significantly greater flexibility in determining which households receiving TANF or TANF-MOE benefits or services may be considered categorically eligible for the FSP.

Currently in New York State, Food Stamp Program Categorical Eligibility applies to FS households whose members all receive either TA and/or SSI. As a FS categorically eligible household they are not subject to the Gross Income Test (130% of federal poverty level), the Net Income Test (100% of federal poverty level), or the FS resource test. As the income levels and resource limits for these cash assistance programs are equal to or stricter than the requirements for the FSP, this definition of categorical eligibility has had little effect on FSP participation. And, in the case of households whose categorical eligibility is derived from receipt of a TA grant, since the TA worker almost always does the determination of FS eligibility as well, there will be little effect on case processing and the verification of resources.

Effective January 1, 2008, FS categorical eligibility will be expanded to include many other FS households, except those disqualified due to an IPV or sanctioned, through provision of a TANF/MOE-funded service. This service will be provided in the form of the “*Helping Hands*” brochure (see Attachment A for a sample). The brochure contains information on a range of programs available to assist households in need. In December, 2007, there will be a mass mailing of this brochure to all Food Stamp recipients. Receipt of this brochure by a household that meets the 130% of poverty (200% of poverty for households with an aged or disabled member) income threshold will confer categorical eligibility for the FSP for a period of one year. Local districts will receive a supply of the “*Helping Hands*” brochure to include as part of the application package given to clients. Additionally, the brochure is available on the OTDA Internet and Intranet sites.

#### **IV. Program Implications:**

The significance of extending categorical eligibility is that it eliminates resource limits, and gross and net income tests for affected households. This change in policy is expected to dramatically increase participation in the food stamp program as well as alleviate the administrative burden on local districts associated with evaluating the resources of applicants for the Food Stamp program. Additionally, this will save case processing time and reduce quality assurance asset errors.

#### **V. Required Action:**

- All FS households that pass the 130% Gross Income Test (GIT) are categorically eligible and workers no longer have to perform the 100% Net Income Test (NIT) or the FS Resource Test.
- Households containing a FS sanctioned individual will still be subject to the 130% GIT, 100% NIT and FS Resource Test to be FS eligible, unless they contain an Aged or Disabled individual, in which case they will only need to pass the 100% NIT and FS Resource test to be FS eligible (non-categorically).
- Households with an aged or disabled member who are currently not subject to the 130% GIT test will instead need to pass a 200% GIT to be FS categorically eligible and thereby not subject to the 100% NIT and FS Resource test. If the aged/disabled household fails the 200% GIT, they will need to pass the 100% NIT and FS Resource test to be FS eligible (non-categorically).
- Local district eligibility workers will be required to include the “*Helping Hands*” brochure in each FS application packet.

**VI. Systems Implications:**

The Categorical Eligibility Indicator (CE) field in the WMS ABEL system has been updated to reflect these changes. Please see ABEL Transmittal No. 07-3 page 10.

**VII. Effective Date:** January 1, 2008

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**Issued By**

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**Title:** Deputy Commissioner

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