

**GENERAL INFORMATION SYSTEM****DIVISION: Center for Employment and Economic Supports****January 8, 2010**

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**TO:** Commissioners, Job Center Managers, FS Center Managers, WMS Coordinators, Staff Development and Training Coordinators

**FROM:** Russell Sykes, Center for Employment and Economic Supports

**SUBJECT:** Exclusion of \$25 per week UIB Supplement from Food Stamp Income

**EFFECTIVE DATE:** Immediately

**CONTACT PERSON:** CEES Food Stamp Bureau @1-800-343-8859, ext. 3-1469

**Background**

On November 6, 2009 Congress passed and the President signed into law H.R. 3548, the Worker, Home Ownership and Business Assistance Act of 2009. Among other things, this law extended the period of eligibility for individuals who receive Unemployment Insurance Benefits (UIB), and extended the \$25 per week supplement to UIB payments through June, 2010. Prior to this extension, as noted in GIS 09 TA/DC 011, dated April 10, 2009, the \$25 weekly supplement to UIBs was set to expire on December 31, 2009. Pending legislation **may** further extend the UIB supplement to December 31, 2010. We will notify HRA if this pending legislation becomes law.

Also, one of the provisions of H.R. 3548, **effective upon enactment, mandated that the \$25 weekly supplement be excluded from consideration as income to households applying for or receiving food stamp (federally referred to as SNAP) benefits.** The law did not make any provision for a period of implementation for this change.

**Purpose**

The purpose of this GIS is to inform **HRA workers** about the extension of the \$25 weekly UIB supplement **and of the exclusion of the supplement from income calculations when assessing eligibility and calculating benefits for the Food Stamp Program.** This exclusion is effective retroactive to November 6, 2009, the date of the bill's enactment.

For **active** TA-FS and NTA-FS cases that already have UIB budgeted, OTDA will conduct a mass re-budgeting/authorization (MRB/A) of these cases on January 10, 2010. The MRB/A will affect all stored FS budgets that have UIB income (WMS Unearned Income Code 36) budgeted and have a **budget effective date greater than 01/31/10.** **The MRB/A will automate the exclusion of the \$25 weekly supplement from each occurrence of UIB income in the stored ABEL budget.**

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Additionally, the state will issue a **one-time**, restored FS benefit in January 2010 to food stamp households with UIB income whose February 2010 FS benefits are increased due to the exclusion of the UIB supplement. Eligible cases may receive restored benefits for November and December 2009, and January 2010. Therefore, HRA workers will not have to manually re-budget food stamp cases that were active during these months and that have UIB income in an FS budget with a budget effective date greater than 01/31/10. CNS notices automatically will be provided to affected households. The amount of restored FS benefits issued to households based on the retroactive exclusion of the UIB supplement will **not** be offset against any outstanding food stamp overissuance claim balances.

**Required Action**

OTDA will forward a list of cases that were excluded from the January 10<sup>th</sup> MRB/A to NYC HRA. Workers should be instructed to re-budget these cases for the months after January 2010. They should calculate the difference between the old and new FS grant amount and multiply the amount of the difference by the number of months (November 2009 through January 2010) that the household was in receipt of food stamps. (The **maximum** number of months would be three.) The result of this calculation is the amount of the single issuance that must be done for the “excepted” or excluded cases. The following single issue codes should be used: Code 20 – Daily Retro –PA/FS cases and Code 22 – Daily Retro – NPA/FS cases.

Also, the following action must be taken in order to ensure that households are not improperly denied benefits or incorrectly found ineligible to participate in the Food Stamp Program for the months of November 2009, December 2009 or January 2010 due to a failure to exclude the \$25 per week UIB supplement from food stamp eligibility and benefit calculations.

Effective immediately, any food stamp budgets that still must be done for the months of November 2009, December, 2009 and January 2010, should be done as follows:

- Create a budget with a budget effective date of 2/A/10. The full, gross amount of UIB income should be entered into the budget.
- Attach this budget when eligibility is processed. The eligibility date should be the date the application was filed.

Guidance regarding the handling of food stamp cases in receipt of UIB that have been closed or denied since November 6, due to Excess Income will be provided at a later date.