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 | ADMINISTRATIVE DIRECTIVE |
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TRANSMITTAL: 91 ADM-15

TO: Commissioners of
 Social Services

DIVISION: Income
 Maintenance

DATE: May 13, 1991

SUBJECT: Food Stamps: Definition of Disabled

SUGGESTED DISTRIBUTION: Public Assistance Staff
 Food Stamp Staff
 Medical Assistance Staff
 Staff Development Coordinators

CONTACT PERSON: County Food Stamp Liaison at 1-800-342-3715,
 extension 4-9225.

ATTACHMENTS: Attachment - SSA Title XVI - is not available on-
 line.

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		387.1(n)(10)	P.L. 100- 435 7 CFR 271.2 7 CFR 273.2 (f)(1)(iii) (viii)(A) (6)	FSSB Section V-A-6-all	GIS Message 89 IM/DC017 (July 6, 1989)

I. PURPOSE

To advise local districts of a new Food Stamp Program definition of "disabled".

II. BACKGROUND

Section 350 of the Hunger Prevention Act of 1988 (P.L. 100-435) amended section 3(r) of the Food Stamp Act of 1977 to add a new definition of disabled. Local districts were advised by IM General Information System (GIS) Message 89 IM/DC017 (July 6, 1989) to apply this new definition effective July 1, 1989.

III. PROGRAM IMPLICATIONS

Food Stamp households which include an individual who meets the Food Stamp Program definition of elderly or disabled are exempt from the gross income eligibility limit and are entitled to an uncapped excess shelter deduction, for purposes of determining food stamp eligibility and benefit level.

The definition of disabled person has been expanded to include persons in receipt of Medical Assistance authorizations who have been certified by the Medical Assistance Program to be disabled or blind in accordance with Title XVI of the Social Security Act. In order to identify public assistance (PA) and non-public assistance (NPA) individuals who meet these criteria, local districts must establish appropriate linkages between Food Stamp and Medical Assistance units.

IV. REQUIRED ACTION

A. For purposes of determining food stamp eligibility and benefit amounts, local districts must consider a household member to be disabled if the individual is in receipt of an authorization of Medical Assistance based upon disability or blindness. In New York State, such medical assistance recipients are those who have been certified by Medical Assistance as blind, disabled or "SSI-related", pursuant to Title XVI. Title XVI blindness and disability criteria is attached.

B. PA and NPA medical assistance recipients who meet the Title XVI blindness or disability criteria can usually be identified through Welfare Management System (WMS) coding, as described in Section V. Current WMS screen printouts of such coding and of active MA status must be retained in the food stamp case record at application and each subsequent recertification, as documentation of the individual's disability. No additional documentation should be requested from the household.

- C. For households whose Medical Assistance disability status is uncertain, PA and NPA/FS staff should contact Medical Assistance staff to resolve questions and obtain any available information which will assist in the food stamp eligibility and benefit level determination.
- D. Food Stamp households which include an individual who meets the disability criteria defined in Section IV.A are exempt from the gross income eligibility limit and the excess shelter deduction cap. Local districts must recalculate and restore benefits retroactive to July 1, 1989, for any household which was entitled to the elderly/disabled budgeting procedures based on the new disabled criteria. Such cases must be identified at client request, next case review, or recertification, whichever occurs first.
- E. An individual who is determined to be disabled based on the criteria described in Section IV.A shall be determined to be exempt from food stamp work registration.
- F. In districts outside of New York City a public assistance (PA) or non-PA individual who is in receipt of federally-participating medical assistance (MA) and who has been certified by such program as blind, disabled or "SSI-related" is identified by WMS Individual Categorical Code "11-Blind" or "12-Disabled" on screen 3 of the WMS medical assistance and public assistance case record.
- G. In New York City a public assistance (PA) or non-PA individual who receives federally-participating medical assistance (MA) and who has been certified by MA as blind, disabled or "SSI-related" may be identified by selecting option 2 (client information) on the WMS individual inquiry menu for all active and applying individuals. Screen NQIN2A provides client information for all three programs areas. If the individual is active for MA, staff should check to see if the MA Individual Categorical Code is 11 (blind) or 12 (disabled).

V. SYSTEMS IMPLICATIONS

None

VI. EFFECTIVE DATE

This directive is effective May 15, 1991, retroactive to July 1, 1989.

Oscar R. Best, Jr.
Deputy Commissioner
Division of Income Maintenance