



George E. Pataki
Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NY 12243-0001

Brian J. Wing
Commissioner

Administrative Directive

Section 1

| | |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Transmittal: | 01 ADM 7 |
| To: | Local District Commissioners |
| Issuing Division/Office: | Temporary Assistance |
| Date: | June 27, 2001 |
| Subject: | Food Stamp and Temporary Assistance Treatment of Family Subsistence Supplemental Allowance Payments |
| Suggested Distribution: | Temporary Assistance Directors Food Stamp Directors CAP Coordinators Staff Development Coordinators |
| Contact Person(s): | Food Stamp Policy - Eastern Regional Team at 800-342-8859, extension 3-1469 Temporary Assistance Policy - Central Regional Team at 800-342-8859, extension 4-9344 |
| Attachments: | None |
| Attachments Available Online:: | None |

Filing References

| Previous ADMs/INFs | Releases Cancelled | Dept. Regs. | Soc. Serv. Law & Other Legal Ref. | Manual Ref. | Misc. Ref. |
|--------------------|--------------------|----------------------------------|-----------------------------------|--------------------------|------------|
| | | 352.13 352.29 387.10(b)(3) | SSL 95 | FSSB XII-C PASB XVI-R | |

Section 2

I. Purpose

This directive is released to inform social services districts (SSDs) of recent legislation which requires the Department of Defense to pay a Family Subsistence Supplemental Allowance (FSSA) to certain military service members and their families.

II. Background

Previously, members of the Armed Forces who were in low pay grades and had large families relied on Food Stamps to supplement their income to purchase food. In the Defense Authorization Act for Fiscal Year 2001, Congress directed the Department of Defense to pay FSSAs to qualified service members. This supplement is intended to elevate their income so that most will no longer have to rely on Food Stamp benefits.

To qualify for a FSSA, a military service member must have completed basic training and have gross income under 130 percent of poverty. The Department of Defense will use the Food Stamp Program's gross income limits and household definition to determine FSSA eligibility. The amount of the FSSA will be the difference between the household's gross income and the Food Stamp gross income limit, or the amount of the household's Food Stamp benefit, whichever is greater, up to a maximum monthly payment of \$500. There is no resource limit for FSSA eligibility.

III. Program Implications

A. Temporary Assistance (TA)

Military service personnel and their families may apply for and receive TA in accordance with Section XVI-R-1 of the Public Assistance Source Book. Applicants for and recipients of TA should be advised of the availability of the FSSA, although actual eligibility must not be presumed. As a condition of eligibility for TA, military personnel and their families must apply for the FSSA, or demonstrate that they have applied and were denied. Once received, the actual amount must be budgeted as unearned income.

B. Food Stamps

Military service members and their families who receive FSSA payments will have the FSSA payments counted as unearned income in determining their Food Stamp eligibility and benefit amount. Service members receiving FSSA payments will continue to be eligible for the Food Stamp Program on the same basis as other low-income households. Because the Department of Defense factors the Food Stamp benefit amount into their calculation of FSSAs, SSDs should cooperate with households' requests for documentation of their Food Stamp benefits.

IV. Required Action

Districts must count FSSA payments as unearned income when determining households' TA and Food Stamp eligibility and benefit amount. Applicants or recipients cannot be required, as a condition of eligibility for Food Stamps, to apply for FSSA payments.

V. Systems Implications

A. Upstate ABEL

A new income source code will be developed to budget this income. In the interim, workers should use Unearned Income Source Code "99 - Other" to budget FSSA payments. Districts will be notified via an ABEL Transmittal when the new income source code is available.

B. New York City ABEL

A new income source code will be developed to budget this income. In the interim, workers should use

Income Source Code "99 - Other Unearned Income" to budget FSSA payments. Program Indicator "B - Both TA and Food Stamps" should be used when budgeting this income. Workers will be notified via an ABEL Transmittal when the new income source code is available.

Section 3

I. Additional Information (Optional)

None.

II. Effective Date

This directive is effective June 1, 2001. Qualified military service members will begin to receive FSSA payments in June. The statutory authority to pay FSSAs expires September 30, 2006.

Issued By

Name: Patricia A. Stevens

Title: Deputy Commissioner

Division/Office: Division of Temporary Assistance