



George E. Pataki  
Governor

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

Robert Doar  
Commissioner

### Administrative Directive

#### Section 1

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| <b>Transmittal:</b>                    | 05-ADM-14  |
| <b>To:</b>                             | Local District Commissioners   |
| <b>Issuing Division/Office:</b>        | Division of Employment and Transitional Supports   |
| <b>Date:</b>                           | June 29, 2005  |
| <b>Subject:</b>                        | Food Stamp Budgeting: VISTA Payments and Medical Mileage Expenses  |
| <b>Suggested Distribution:</b>         | Temporary Assistance Directors<br>Food Stamp Directors<br>TOP Coordinators<br>Staff Development Coordinators |
| <b>Contact Person(s):</b>              | Food Stamp Bureau at 800-343-8859 or 518-473-1469  |
| <b>Attachments:</b>                    | None   |
| <b>Attachment Available On – Line:</b> | <input type="checkbox"/>   |

#### Filing References

| Previous ADMs/INFs | Releases Cancelled | Dept. Regs.      | Soc. Serv. Law & Other Legal Ref. | Manual Ref.                                | Misc. Ref. |
|--------------------|--------------------|------------------|-----------------------------------|--|------------|
| 02 ADM-7           |                    | 387.10<br>387.12 |                                   | <u>FSSB</u> Sec. 11<br><u>FSSB</u> Sec. 12 |            |

#### Section 2

##### I. Summary

- VISTA payments must be counted as earned income for food stamp applicants who were not receiving temporary assistance or food stamp benefits when they joined VISTA.
- Elderly or disabled individuals who claim mileage costs for transportation to medical services must be allowed at least fourteen cents per mile when computing their food stamp medical deduction.

## II. Purpose

This directive is transmitted to inform districts of two changes in food stamp budgeting policy.

## III. Background

- A. Payments under Title I of the Domestic Volunteer Services Act of 1973 (P.L. 93-113), including Volunteers in Service to America (VISTA), University Year for Action and Urban Crime Prevention Program, were excluded as income for purposes of determining food stamp eligibility and benefit amount as a State option under the Food Stamp Reauthorization Act of 2002. The United States Department of Agriculture recently notified the Office of Temporary and Disability Assistance (OTDA) that these Title I payments, including VISTA, must be counted as earned income for food stamps if the VISTA volunteer was **not** receiving temporary assistance or food stamps when joining VISTA.

This policy change does not apply to the following income sources, which remain excluded for FS applicants and recipients:

- Title II programs under P.L. 93-113, including the Retired Senior Volunteer Program, Foster Grandparents Program and Senior Companion Program; and
  - Title I programs under the National and Community Service Act of 1990 (P.L.101-610), as amended by the National and Community Service Trust Act of 1993 (P.L.103-82), including the AmeriCorps programs.
- B. Individuals who meet the food stamp definition of elderly or disabled are allowed an income deduction for allowable medical expenses in excess of \$35 per month. Allowable medical expenses include reasonable costs of transportation to obtain medical services. Districts have used locally-determined mileage rates for elderly or disabled individuals who drive their own vehicles to obtain medical services. Districts are encouraged to use the mileage rate at which county employees are reimbursed for their employment-related travel, which some counties set at the federal rate for employee reimbursement, currently 40.5 cents per mile. Districts must now use *at least* the mileage rate allowed toward a medical deduction for federal income tax purposes, currently fourteen cents per mile.

## IV. Program Implications

OTDA does not anticipate that districts will see many food stamp households who had VISTA earnings when they applied for food stamp benefits. The few districts that currently allow less than fourteen cents per mile when calculating food stamp medical deductions must rebudget affected cases.

## V. Required Action

- A. Effective September 1, 2005, districts must count VISTA earnings for food stamp **applicants** who were not receiving temporary assistance or food stamps when they joined VISTA. For food stamp **recipients** who are VISTA volunteers, at their next 6-month report or recertification after September 1, 2005 whichever is earlier, districts must determine whether they joined VISTA before they began receiving temporary assistance or food stamps.

Districts must provide timely and adequate notice and budget the VISTA earnings of food stamp recipients who joined VISTA before they began receiving temporary assistance or food stamps.

Food stamp recipients who have VISTA earnings excluded because they were receiving temporary assistance or food stamps when they joined VISTA will continue to have their VISTA income excluded. This exclusion of a food stamp recipient's VISTA income continues through temporary (less than six months) interruptions in their food stamp participation.

- B.** At next client contact, but no later than next recertification, districts that currently allow less than fourteen cents per mile in food stamp medical deductions must recompute the medical deductions for affected households by allowing at least fourteen cents per mile. Districts that currently allow more than fourteen cents per mile should not decrease their food stamp medical deduction mileage rate.

## **VI. Systems Implications**

**Upstate WMS:** Countable VISTA income will be budgeted for food stamps in Upstate ABEL using Earned Income Source Code '07 – VISTA'.

**NYC WMS:** Countable VISTA income will be budgeted as Income Source Code '98 – Other Earned Income' for food stamps. For temporary assistance, VISTA income continues to be budgeted as Income Source Code '10 – VISTA'.

## **VII. Effective Date**

The change in food stamp treatment of VISTA income is effective September 1, 2005. The minimum mileage rate for food stamp medical deductions is effective July 1, 2005.

**Issued By** \_\_\_\_\_  
**Name:** Russell Sykes  
**Title:** Deputy Commissioner  
**Division/Office:** Division of Employment and Transitional Supports