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Governor

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

**Robert Doar**  
Commissioner

## Informational Letter

### Section 1

<b>Transmittal:</b>	05-INF-17
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Employment and Transitional Supports
<b>Date:</b>	September 27, 2005
<b>Subject:</b>	Temporary Assistance (TA) Budgeting: Volunteers In Service To America (VISTA) Payments
<b>Suggested Distribution:</b>	Temporary Assistance Directors Medical Assistance Directors Food Stamp Directors TOP Coordinators Staff Development Coordinators
<b>Contact Person(s):</b>	Temporary Assistance: Temporary Assistance Bureau, 1-800-343-8859 extension 4-9334. Medicaid: Local District Liaison - Upstate (518) 474-8216, New York City - (212) 417-4500.
<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.
05-ADM-14 95 INF-30	GIS 96 TA/DC016	Reg. 352.22 (q)	P.L. 93-113 Sec.404 USC§ 5044(f) (1) and (f) (2)	TASB XVIII	

### Section 2

**Purpose:** The purpose of this letter is to provide districts with clarification of budgeting procedures regarding AmeriCorps\*VISTA income as it pertains to applicants and recipients of TANF and SNA. The update is based on clarification from the VISTA program.

#### I. Background:

It has come to our attention that there is an inconsistency in Office policy releases and Office regulations regarding the treatment of VISTA income for TA applicants and recipients. 96 GIS

Regulation 352.22 (q) states the policy correctly. The distinction between the GIS and Regulation is explained below. The TA Source Book Chapter 18 section T will be amended to reflect the correct policy.

The new budgeting rules will affect only VISTA participants who are applying for TA benefits. DETS does not anticipate that districts will see many VISTA participants, as the VISTA website reports the number of participants at almost 4,000 nationwide.

## **II. Program Implications:**

VISTA payments under Title I of the Domestic Volunteer Services Act of 1973 (PL93-113) must be excluded as income for VISTA volunteers who are applying for or receiving TA (TANF or SNA). The procedure for budgeting VISTA income for TA applicants was incorrectly stated in the GIS. The regulation however, has always indicated that VISTA income was to be excluded as income for applicants and recipients, unless the federal director of the ACTION agency has determined the value of VISTA payments to be equal to or greater than the minimum wage.

The Automated Budgeting & Eligibility Logic (ABEL) instructions are as follows:

**Upstate** - workers should not enter VISTA income in the Temporary Assistance budget.

**Down State (New York City)** - workers should use Income Source Code 98- "Other Earned Income" with a Program Indicator of "F", instead of Income Source 10- "VISTA".

Note: This application of the income exemption for TA applicants does not apply to Food Stamp applicants due to specific USDA regulations. For more detailed information regarding FS budgeting of VISTA refer to 05 ADM -14.

## **III. Medicaid Implications:**

When determining Medicaid eligibility for ADC-related, Low Income Families (LIF) and Singles and Childless Couples (S/CC) applicants/recipients, payments received by AmeriCorps\*VISTA volunteers under Part A of Title I of Public Law 93-113 are disregarded as income and resources. These payments include payments for living expenses, child care allowances and other benefits and services provided by AmeriCorps\*VISTA. However, the AmeriCorps\*VISTA payment is to be counted as earned income when the Director of the ACTION agency determines that the value of all such payments, adjusted to reflect the number of hours such volunteers are serving, is equivalent to or greater than the minimum wage.

When determining Medicaid eligibility for SSI-related applicants/recipients, payments received by AmeriCorps\*VISTA volunteers under Part A of Title I of Public Law 93-113 are disregarded as income and resources. These payments include payments for living expenses, child care allowances and other benefits and services provided by AmeriCorps\*VISTA. Payments are disregarded whether or not they equal or exceed the minimum wage.

**Issued By** \_\_\_\_\_

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