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Informational Letter

Section 1

Transmittal:	08-INF-03	
To:	Local Department of Social Services (LDSS) Commissioners	
Issuing Division/Office :	Center for Employment and Economic Supports	
Date:	January 9, 2008	
Subject:	Categorical Eligibility for Food Stamps Q & As	
Suggested Distribution:	Food Stamp Directors Temporary Assistance Directors FEDS Coordinators Fraud Directors Staff Development Coordinators	
Contact Person(s):	Sandy Borrelli (518) 473-0401 Sandy.Borrelli@otda.state.ny.us	
Attachments:	none	
Attachment Available On – Line:	<input type="checkbox"/>	

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
01 ADM 2 ABEL Transmittal 07-3 07 ADM - 09		387.9 (b) 387.14 (a) (5)		FSSB Section 5	

Section 2

I. Purpose

The purpose of the Informational Letter (INF) is to present supplemental information regarding the expansion of categorical eligibility for the Food Stamp Program and the effects of this expansion on policy and procedures.

II. Background

The questions and answers in this document pertain to the Temporary Assistance (TA)/ Food Stamp (FS) and FS programs only. Any questions regarding Medicaid policy should be referred to the New York State Department of Health. If you have questions regarding this release, please contact Sandy Borrelli at the above-referenced number.

III. Program Implications

Categorical eligibility is linked to income. The household must be at or below 130% of the federal poverty level to be categorically eligible unless there is an aged/disabled or sanctioned member. This expansion of categorical eligibility is not changing income requirements in any way. The categorical eligibility requirements are set forth in 07 ADM-09.

1. **Q.** The *Helping Hands* brochure is to be included with all FS application packets. What about TA applications and when someone is denied TA? Would the brochure be mailed when the TA is denied?
 - A. The brochure is to be included in ALL application packets including the packet containing the common application.
2. **Q.** Does the LDSS have to make a note in the file that client has received the *Helping Hands* brochure?
 - A. No. OTDA is mailing the brochure to all active FS cases, and the assumption is that all clients in these food stamp households will be in receipt of the brochure either through this mailing or through the application package.
3. **Q.** What is the date of categorical eligibility (CE) implementation?
 - A. January 1, 2008.
4. **Q.** How does this categorical eligibility expansion affect Expedited Processing?
 - A. Expedited rules have not been changed. Available liquid resources (see the Food Stamp Source Book [FSSB], Section 5, Page 133, 1a for a definition of liquid resources) still need to be assessed when determining eligibility for expedited processing.

5. **Q.** Since resources are usually a trigger for interest income, how do we determine if someone has interest income if they do not have to report resources? Is it necessary to look at income from resources?
- A.** After January 1, 2008, bank accounts will not be counted as a resource if the household is categorically eligible. Such cases will be flagged on Resource File Integration (RFI) for receipt of interest income which still must be budgeted as FS unearned income.
6. **Q.** What do we do if a household member becomes subject to a sanction or Intentional Program Violation (IPV) during the certification period?
- A.** That would depend on the reporting requirements that apply to the household. If the household is a six-month reporting household, resources would not need to be determined until the next recertification or periodic report. If the household is a ten-day reporting household, then a Request for Contact would have to be sent to the household asking the household to submit information and verification regarding resources.
7. **Q.** Are Able-Bodied Adults Without Dependents (ABAWDs) considered sanctions once the time limit is exhausted?
- A.** No, an individual who is subject to the work requirements for ABAWDs would be ineligible for food stamps after three months within a thirty-six month period unless he/she is participating in a qualified work activity which meets the ABAWD requirement. The ABAWD remains ineligible until he/she reestablishes eligibility. It is important to note that districts who have implemented ABAWD requirements must offer qualified work activities to ABAWDs who request such activities in order to maintain his/her food stamp eligibility.
8. **Q.** Is it necessary to look at income from resources?
- A.** Yes, it would be considered unearned income.
9. **Q.** Is an ineligible student considered sanctioned?
- A.** No. They are considered ineligible members of the household.
10. **Q.** How does categorical eligibility expansion affect reporting requirements?
- A.** Reporting requirements or certification periods assigned to households are not changed. Counties who do a six-month recertification should continue to do so. There are no changes to the simplified reporting requirements. Additionally, individuals who are receiving food stamp benefits and are subject to work requirements for ABAWDs must report, within 10 days of the end of the month, when his/her monthly participation in employment or other work activities falls below 80 hours.

11. **Q.** Will a change be made to the Home Energy Assistance Program (HEAP) application to accommodate individuals who apply through alternate certifiers?
- A.** No changes will be made at this point in time. We are looking to outreach efforts to assure that affected households know about the changes.
12. **Q.** Are households still required to verify resources?
- A.** No, you can assume that any household currently active for FS has received the brochure and are thus categorically eligible, unless the household includes a disqualified or sanctioned individual. Resources for categorically eligible food stamp households will not have to be verified to determine eligibility.
13. **Q.** Are households still required to verify income from resources (i.e., income generated by a savings account and/or workmen's compensation benefits)?
- A.** Income requirements are not changed in any way. The household is still required to verify earned and unearned income.
14. **Q.** A household that has been in receipt of FS during the year comes in for recertification. Do we have to verify resources?
- A.** No. You can assume that any household currently active for FS has received the brochure and, if they meet the income requirements, are categorically eligible. Resources will not have to be verified to determine eligibility unless a member of the household has been sanctioned or been disqualified due to an IPV. If it is discovered at recertification that a household with an elderly or disabled member now has income in excess of 200% of poverty, then that household also would have to report and verify resources.
15. **Q.** When will a household ever pass the 100% Net Income Test (NIT) if they fail the 200% Gross Income Test (GIT)?
- A.** A case can fail the 200% GIT test and pass the 100% NIT if they have very high shelter and/or medical costs.
16. **Q.** The Automated Budgeting and Eligibility Logic (ABEL) manual discusses a new categorical indicator of "A", which will appear on the output screen if an Aged/Disabled household fails the 200% GIT, and this alerts the worker to assess the resource test. Why would we have to assess resources if the household fails the 200% GIT and budget shows excess income? Aren't we going to close, or deny case for excess income? When would we ever keep an "A" in subsequent budgets as the ABEL indicates, if the case is not eligible?
- A.** The "A" is generated as the CE indicator for cases that fail the 200% test and is an indicator for the worker to check the household's resources provided the case is income eligible. If any case is income ineligible the CE indicator is irrelevant.

17. **Q.** Do change reporters get reevaluated for CE for changes in income?
- A.** Yes, any changes in income must be evaluated. As long as a household remains categorically eligible, they no longer will be required to report information about resources or changes in resources other than about income derived from such resources.
18. **Q.** Can a household that contains an ineligible alien or an ineligible student be categorically eligible?
- A.** Yes, categorically eligible households may include an ineligible alien or ineligible student. Ineligible students and ineligible aliens are just that: “ineligible.” They are not sanctioned or disqualified.
19. **Q.** Would the Client Notice System (CNS) code U40 be available for HH over the resource test?
- A.** Yes.
20. **Q.** How do you stop the PSF field from blinking?
- A.** Put an “S” in the CE field. The “S” is necessary because an entry in the PSF field on the TA budget indicates that an individual is being sanctioned for TA and FS.
21. **Q.** What are the definitions of the ABEL CE indicator entries?
- A.** N = HH is categorically eligible but all members are **NOT** TA or SSI. All members have passed the 130% test so there is no reason to meet the NIT. **A** = A/D not categorically eligible. This population is subject to the 200% test solely to determine categorical eligibility or subject to the NIT **and** resource test. **S** = Sanctioned for FS. These HHs must pass 130% GIT, 100%NIT **and** resource test. If the HH contains an aged/disabled member, they must pass the 100% NIT **and** the resource test. **Y** = categorically eligible – All TA/SSI and not subject to any tests.
22. **Q.** If a household applies for Temporary Assistance (TA) and the application for TA is going to be denied because they are over resources for TA, can the FS application still be denied for being over resources as well?
- A.** No. This is one of the essential changes that is occurring due to the expansion of categorical eligibility. A household (TA filing unit) whose TA application is being denied for TA due to excess resources must receive a separate determination for food stamp eligibility.
23. **Q.** Is it necessary to prove citizenship on the categorically eligible cases?
- A.** Citizenship does not need to be verified unless it is questionable. Only alien status is verified to determine if an individual, who is a non-citizen, qualifies for the Food Stamp program.

Issued By:

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Division/Office: Center for Employment and Economic Supports