



NEW YORK STATE
 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
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Andrew M. Cuomo
 Governor

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 Commissioner

Administrative Directive

Section 1

Transmittal:	14-ADM-01
To:	Local District Commissioners
Issuing Division/Office :	Center for Employment and Economic Supports
Date:	April 25, 2014
Subject:	Temporary Assistance Budgeting: 2014 Earned Income Disregard and Poverty Level Test
Suggested Distribution:	Temporary Assistance Directors SNAP Directors Staff Development Coordinators Employment Coordinators WMS Coordinators Fair Hearing Staff Medicaid Staff TOP Coordinators
Contact Person(s):	Temporary Assistance (TA) Bureau: 1-800-343-8859, ext. 4-9344 SNAP Bureau: 1-800-343-8859, ext. 3-1469 Home Energy Assistance Program (HEAP) Bureau: 1-800-343-8859, ext. 3-0332 Metropolitan Field Support Bureau: 212-961-8207 Medicaid (MA) Upstate: 518-474-8887; New York City: 212-417-4500
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.
97 ADM-23 98 ADM-10 99 ADM-03 00 ADM-03 01 ADM-05 02 ADM-05		352.18 352.19 352.20 352.3(a)-(d) 352.8(b)(1)	SSL 131-a(8)(a)(iii)	TASB Chapter 18, Section J	ABEL Transmittal 14-1 GIS 10 TA/DC014

03 ADM-04 03 ADM-09 04 ADM-03 05-ADM-09 06-ADM-04 07-ADM-02 08-ADM-01 09-ADM-05 11-ADM-02 12-ADM-02 13-ADM-03					GIS 01 TA/DC049 Federal Register: January 22, 2014
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Section 2

I. Summary

This Administrative Directive (ADM) advises social services districts (SSDs) that there is no change to the Earned Income Disregard (EID) for 2014; however the 2014 federal Poverty guidelines have changed.

Effective June 1, 2014, the EID will remain at 49%. SSDs must continue using the 49% EID for eligible cases with an Automated Budgeting and Eligibility Logic (ABEL) budget "From Date" of June 1, 2014, or later.

Effective June 1, 2014 the gross earned and unearned income of applicants for and recipients of Temporary Assistance (TA) cannot exceed the 2014 Federal Poverty Guidelines found in Section IV of this directive and at:

<http://aspe.hhs.gov/poverty/14poverty.cfm>

II. Purpose

This directive advises SSDs that effective June 1, 2014, the EID remains unchanged at 49% and that the 2014 Federal Poverty Guidelines have changed and are found in Section IV of this directive and at: <http://aspe.hhs.gov/poverty/14poverty.cfm>

III. Background

The Welfare Reform Act of 1997 (WRA) required the use of a new budgeting methodology employing a flat percentage EID. The EID is applied to the difference between the eligible applicant's or recipient's gross income and the \$90 work expense disregard. SSL 131-a(8)(a)(iii) requires the Office of Temporary and Disability Assistance (OTDA) to adjust the EID annually, effective June 1 each year, to reflect the most recently released federal poverty guidelines.

The WRA also imposed a Poverty Level Income Test that requires a household's total gross earned and unearned income to be at or below the federally established poverty level by family size. This test applies only to persons living in situations subject to the maximum shelter allowances set forth in 18 NYCRR § 352.3(a)-(d) and 352.8(b)(1).

The Center for Employment and Economic Supports (CEES) issues an update to the threshold on an annual basis.

IV. Program Implications

The EID remains unchanged at 49%, effective June 1, 2014. SSDs must continue using the 49% EID for cases with ABEL budgets effective June 1, 2014 or later. The eligibility criteria for a TA household to receive the EID are unchanged.

Effective June 1, 2014, the Poverty Level Income Test limits **will** change. Beginning on that date, the gross earned and unearned income of applicants for and recipients of TA cannot exceed the 2014 Federal Poverty Guidelines as published in the Federal Register, and available at:

<http://aspe.hhs.gov/poverty/14poverty.cfm>

2014 Federal Poverty Guidelines

Size of Family Unit	Annual Poverty Guidelines
1	\$11,670
2	\$15,730
3	\$19,790
4	\$23,850
5	\$27,910
6	\$31,970
7	\$36,030
8	\$40,090
Additional Person	\$4,060

V. Required Action

Applicants

Effective June 1, 2014, an applicant's eligibility for TA must be determined **without** application of the 49% EID unless the applicant has received TA for any one of the four months preceding the date of the current application.

Recipients

Effective June 1, 2014, a recipient's continuing eligibility for TA must be determined **with** the application of the 49% EID.

VI. Systems Implications

Rest of State (ROS)

ABEL

To determine an applicant's eligibility for TA, workers must use ABEL Disregard Indicator code "1-If Eligible, Give Disregard," unless the applicant has received TA for any one of the four months preceding the date of the current application. If the applicant has received TA for any one of the four months preceding the date of the current application, workers must use ABEL Disregard Indicator code "2-Calculate With Disregard."

If an applicant is determined eligible for TA using ABEL Disregard Indicator code "1-If Eligible, Give Disregard," the code must be manually changed to "2-Calculate With Disregard."

MRB/A

There will be no MRB/A for EID. However, the new poverty levels for the Poverty Level Income Test will migrate on April 12, 2014, and will be available April 13, 2014 for budgets with the "Budget From" dates of June 1, 2014 or later.

New York City (NYC)

There will be no mass re-budgeting (MRB) for EID. However, the new poverty levels for the Poverty Level Income Test will migrate on May 19, 2014, and will be available for budgets with the "Budget From" dates of June 1, 2014 or later.

VII. Additional Information

Supplemental Nutrition Assistance Program (SNAP), Implications

SNAP households continue to receive a 20% earned income disregard from their gross earned income. Please note that the Federal Poverty Limit Guidelines do **not** change for the SNAP Program on June 1st. SNAP Poverty Limit changes will be adjusted October 1st, as usual.

Medicaid (MA) Implications

The MA program will publish the EID for MA-Only cases separately.

The SSDs will be advised of the Medicaid Budgeting Logic (MBL) changes for ROS in a forthcoming MBL transmittal. Information regarding NYC systems changes also will be forthcoming.

VIII. Effective Date

June 1, 2014

Issued By

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Title: Deputy Commissioner

Division/Office: Center for Employment and Economic Supports